

Dun & Bradstreet (New Zealand) Limited

***Assurance Report under Clause 9
of the Credit Reporting Privacy Code
for the year ending 30 June 2016***

Dated 30 September 2016



Decide with Confidence

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1. Introduction

- 1.1. Clause 9 of the Credit Reporting Privacy Code 2004 (the Code) requires credit reporters to prepare and submit to the Office of the Privacy Commissioner each year an Assurance Report (the Report) that reflects the requirements of Schedule 6 of the Code. (For ease of reference, copies of Clause 9 and Schedule 6 are attached as Appendix 1.)
- 1.2. In summary, the Report must:
- (a) explain the process of review and reporting; and
 - (b) provide assurances about the following operational aspects of the credit reporter's business as it relates to the Code:
 - (i) that the credit reporter has in place and gives effect to policies, procedures, controls and subscriber agreements that comply with the Code;
 - (ii) that the credit reporter monitors its compliance with and in fact does comply with those policies, procedures, controls and subscriber agreements; and
 - (iii) that where breaches of the policies were identified or notified, prompt remedial action was taken.
- 1.3. A fourth element under 1. 2(b) requires that where a deficiency is identified in the previous year's report, the credit reporter (where appropriate) took prompt remedial action.
- 1.4. The relevant dates for the Report are:
- (a) it is to cover the year ended 30 June each year; and
 - (b) it is to be submitted on or before three months after the end of that year.
- 1.5. Dun & Bradstreet (New Zealand) Limited (D&B) established a Review Committee ("Committee") including an independent person (clause 9 and Schedule 6(1)(b) of the Code) to prepare the Report.
- 1.6. This is the fifth year that Dun & Bradstreet (New Zealand) Limited (D&B) has provided a Report. A link to the Reports of previous years is [here](#).
- 1.7. What follows is D&B's Assurance Report for the year ended 30 June 2016 for submission on or before Monday 30 September 2016.

2. Process of review and reporting: Schedule 6, clause 1

2.1 The report must include:

- (a) a statement identifying the members of the Committee, including the independent person;
- (b) information about the independent person's expertise, including confirmation that the independent person is not an employee, director, or owner of the credit reporter; and
- (c) a summary of the systematic review process and the methodology followed by the reviewer;

2.2 The Committee and the independent person

- **Kevin De Beer**, Managing Director, D&B – based in Auckland
- **Gareth Pilcher**, National Operations Manager, Debt Management Solutions – D&B employee based in Auckland
- **Ian Kaplan**, Director, Bureau Operations – D&B employee based in Melbourne
- **Yvonne Muller (independent person)**, Barrister and Solicitor in sole practice (also Editor and Content Manager, College of Law New Zealand), Auckland. More information about Yvonne Muller's expertise and independence is in Appendix 2. Yvonne is not an employee, director, or owner of D&B.

2.3 Summary of the review process

- (a) How D&B approaches the review:
 - (i) while the review needs to be comprehensive, the Report should be pitched at a high level and set out statements of assurances for the OPC to take as a baseline for D&B's compliance; and
 - (ii) it is therefore unnecessary for the Report to include copies of policies, procedures, controls and so on; but
 - (iii) copies of those policies must be reviewed and as far as is possible, actual compliance with them must be confirmed; and
 - (iv) copies of those policies and any other supporting documentation are in a readily retrievable form so the OPC can see them if it wants to.
- (b) The Report breaks down the requirements of the Report into their individual components, identifies the department within D&B with ultimate responsibility for currency and accuracy of the supporting documentation relating to that component, and gives the title of the document(s) containing the policy, procedure or control, and outlines the independent person's assessment of the policy and D&B's compliance with it.
- (c) The Committee points out that although as far as possible the elements of the Code have been separated out, not all documentation or

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commentary is mutually exclusive. Some double-up and repetition has proved unavoidable. However, we have tried to avoid this as much as we can.

3. Summary of Assurances

Schedule 6 clause 2: Assurances relating to policies, procedures, controls & subscriber agreements	
(a) Does D&B have policies in place that give effect to the requirements of the Code?	Yes
(b) Do D&B's internal procedures & controls give effect to the policies & requirements of the Code?	Yes
(c) Does D&B provide information and training to staff to ensure compliance with the policies, procedures and controls?	Yes
(d) Do D&B's subscriber agreements comply with Schedule 3 and are they in place before disclosing credit information	Yes
(e) Does D&B follow its own policies, procedures & controls?	Yes
Schedule 6 clause 3: Assurances relating to monitoring of policies, procedures, controls and subscriber agreements	
(a) Does D&B follow its own policies, procedures & controls?	Yes
(b) Is the information held by D&B protected by reasonable security safeguards?	Yes
(c) Does D&B process information privacy requests in accordance with rules 6 and 7?	Yes
(d) Does D&B take such measures as are reasonably practicable to avoid incorrect matching of information?	Yes
(e) Is the information held by D&B subject to reasonable checks to ensure that it is accurate, up to date, complete and not misleading?	Yes
(f) Is D&B's reporting and retention of credit information in accordance with rule 9 and schedule 1?	Yes
(g) Does D&B process direct marketing lists in accordance with rule 10(1C)?	Not applicable
(h) Does D&B process suppression, release or cancellation requests in accordance with Schedule 7?	Yes
(i) Does D&B process complaints in accordance with clause 8?	Yes
(j) Is D&B's website displaying accurate information that gave effect to rules 6(4)(b), 7(4)(b), clause 8(3A) and clause 8. 1 of Schedule 7?	Yes
(k) Are D&B's subscribers complying with agreements and controls?	As far as D&B can ascertain, yes

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Schedule 6 clause 4: Assurances relating to action taken on deficiencies identified	
(a) Did D&B, where, during its systematic reviews, monitoring activities or as a result of a complaint, <ul style="list-style-type: none"> • identify any breaches of an agreement, policy, procedure, control, or requirement of the code, • investigate that breach and, where appropriate, take prompt remedial action? 	Yes
(b) Did D&B, where a deficiency was identified in the previous year's report, take, where appropriate, prompt remedial action?	Not applicable. None identified.
(c) Can D&B provide an assurance it has complied with clause 6.1(b) of Schedule 8?	Yes

4. 2016 Focus points

4.1 Following meetings in July 2016 between New Zealand credit reporters and the OPC, the OPC came up with a list of questions/issues it has asked credit reporters to focus on this year. The issues and D&B's responses are set out below.

Question 1: Could you please elaborate on how you handle credit non-compliance action? For example:

(a) Where a subscriber has listed credit non-compliance action, how do you monitor the updating of that information in the 3-6 month period?
Reported credit non-compliance is monitored by D&B's automated data loading and archiving procedures.

(b) If not updated within 6 months is the information automatically removed?

D&B confirms that reported credit non-compliance actions that are not updated to being confirmed credit non-compliance actions within 6 months are automatically removed.

Question 2: We carried out spot checks on access requests last year and we would be interested in your feedback on that. In particular:

(a) Have your policies or procedures been reviewed since the checks were carried out?

D&B reviewed its policies and procedures to identify and remedy process improvements. No material matters were detected. This review also facilitated the technology development to accelerate the processing of free access requests as detailed below.

(b) Have any changes been made to the processing of access requests?

(c) Do you have any additional comments regarding the spot check process?

D&B met with the Privacy Commissioner to discuss, and responded in writing to, the spot check process and report. In particular, D&B wished to clarify the circumstances of the reported cases of "non-response". D&B believed that these non-responses may have been because individuals had not yet responded to requests for further identity verification information (a standard pre-requisite to ensure the individual's credit information is kept secure). D&B requested further information in respect of the offline situations which were not responded to in order to check whether or not the reason for non-response was D&B fraud prevention. Given the spot check methodology, the OPC did not provide this information to D&B. D&B has since accelerated its online delivery of credit reports so that these are now available "Free in 3" (being three business days), subject to identity validation having been passed in July 2016.

Question 3: Requests by government agencies for personal information was an issue highlighted in the transparency reporting trial we carried out last year. We would be interested in hearing about the systems you have in place for monitoring access to credit information by government agencies and ensuring such access complies with the requirements of the Code.

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No such requests were received during the reporting period. If such a request were to be received, then D&B would follow its existing processes to ensure it carefully checked the source and legal basis of the request before complying, and created and maintained a separate record of such requests, and trained staff in the existence and use of that record.

5. Schedule 6 clause 2: Assurances relating to policies, procedures, controls & subscriber agreements

Requirement		Owner	Details	Assurance and Assessment
a	Does D&B have policies in place that give effect to the requirements of the Code?	Corp	D&B Privacy Act Code of Conduct	Yes D&B has an interlocking set of policies and procedures dealing with privacy generally and the Code specifically, designed to give effect to the Code's requirements.
		NZ	D&B Privacy Act Code of Conduct	The D&B Privacy Act Code of Conduct is provided to employees.
		IT	Network access announcement	A Privacy and IT Security statement is delivered every time an employee accesses the D&B network as a reminder of their obligations.
		HR	Employment Contracts/Deeds	Stipulates the need to comply with all requirements of D&B's privacy generally and other policies and procedures.
		PAC	New Zealand Public Access Centre ("PAC") Procedures Matrix ("Matrix")	The Public Access Centre ("PAC") Procedures Matrix ("Matrix") is focussed on allowing consumers access to their credit reports. The Matrix sets out detailed procedures for credit bureau employees to receive and process requests for access to personal information, correction / updating of that information, and its suppression, release and cancellation.
b	Do D&B's internal procedures & controls give effect to the policies & requirements of the Code?	PAC	PAC Matrix	Yes. The PAC Matrix identifies not only procedures, but also the risks involved in not following those procedures. The possible consequences for the individual whose information is being handled, and for the employee who fails to follow the procedures, are clearly spelled out.
c	Does D&B provide information and training to staff to ensure compliance with the policies, procedures and controls?	PAC/HR	Details of training records kept. <ul style="list-style-type: none"> e-Campus ISO Quality 	Yes. Employees go through an intensive induction process and on-going training which is recorded and stored on the employee's personnel file. Both the induction and the training stress the need for employees to protect the personal information held by D&B. These processes clearly set out the requirements of the Code and what employees must do to ensure they are meeting those requirements. Employees are required to acknowledge receipt, reading and understanding of

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				the key policies and procedures both generally through their employment agreement at the initial hiring stage, and particularly in regard to the electronic usage policy. Employees who breach the policy, having acknowledged their understanding of this or other policies, may be summarily dismissed.
d	Do D&B's subscriber agreements comply with Schedule 3 and are they in place before disclosing credit information?	Corp	Master Agreement with credit reporting services product module	<p>Yes.</p> <p>The Master Agreement and the credit reporting services product module (sometimes called "Standard Terms" and "Services Agreements" respectively) together comprise a subscriber agreement between D&B and its customers. These documents were initially drafted to be compliant with the Code and are updated as the Code changes.</p> <p>Customers can only become subscribers by signing up to these documents; and only after a review of the Customers' terms and conditions and how they align and relate to Schedule 3 are the Customers allowed access to credit information. The Code compliance aspects of these documents are non-negotiable.</p>

6. Schedule 6 clause 3: Assurances relating to monitoring of policies, procedures, controls and subscriber agreements

Requirement	Owner	Details	Assurance and Assessment
<p>a Does D&B follow its own policies, procedures & controls?</p>	<p>NZ</p>	<p>Internal and External Quality audits</p>	<p>Yes.</p> <p>D&B considers privacy to be its business. It is in the company's commercial interests to follow its own policies. Because of the nature of our business, both debt collection and credit reporting, D&B maintain a continuous review policy. All staff are monitored through a combination of electronic means (how they are using D&B e-resources) and in person (it is the role of team leaders to oversee performance including how staff deal with consumers and their personal information, and that staff comply with all statutory and regulatory requirements).</p> <p>In April 2016, SAI Global conducted an ISO re-certification audit on D&B. The auditor confirmed in the report that D&B continued to meet ISO 9001:2008 standards and that its registration should continue. The purpose of the audit was to determine the capability and effectiveness of D&B's management system in, among other things, ensuring continual compliance with customer, statutory and regulatory requirements. The audit was conducted to a plan established to cover all activity in the scope of registration relevant to the Auckland operation, and all requirements of the standard. No significant issues were identified. In general the processes were found to be operating in compliance with procedures established by D&B, and in compliance with the ISO standard. The systems were found to be consistently applied and to good effect, and essentially the same as in the previous (2015) reporting period.</p> <p>The auditor reviewed the Customer Complaint Handling System, and other issues registers and related documents. The review identified that relatively few issues are recorded but that appropriate investigations and corrective actions take place, and no issues were identified with the process. The auditor remarked that appropriate review is made of the activity by senior management.</p> <p>This audit is independent evidence that the processes relating to the identified elements and controls meet the relevant statutory and regulatory</p>

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				requirements.
b	Is the information held by D&B protected by reasonable security safeguards?	IT NZ PAC NZ	IT Data Security policy Physical access Physical filing of contracts, consumer requests, amendments, etc. Document destruction	IT security is maintained to a very high standard, with physical security systems in place, daily data backups, off-site tape storage, 24/7 monitoring, regular "health checks" on the IT system by a third party provider, anti-virus and spam protection, monthly password change procedure, and firewall and encryption processes. D&B's information security management system is broadly aligned to the Australian Government's Information Security Manual (ISM) and the ISO 27002 Code of Practice for Information Security Management. D&B has an Information Security Steering Committee, an IT Change Management Process, and a Security Incident Management Process and register.
c	Does D&B process information privacy requests in accordance with rules 6 (Access to Credit Information) and 7 Correction of Credit Information?	PAC/ Customer Integration	PAC Matrix	Yes. The PAC Matrix provides detailed procedures for employees to follow when processing access to and correction of credit information. This includes online or manually received applications, standard and fast track service requests, dealing with the results / outcomes of an application, and resolving results including amendment requests whether, faxed, mailed, or emailed. These procedures are followed by employees, and registers are maintained of requests and outcomes. Adherence to the procedures is monitored by D&B and reviewed as part of its Quality Management System.
d e	(d) Does D&B take such measures as are reasonably practicable to avoid incorrect matching of information? (e) Is the information held by D&B subject to reasonable checks to ensure that it is accurate, up to date, complete and not misleading?	PAC, Business Development	PAC Matrix	D&B recognises that one of the key components of the success of its consumer credit bureau rests on ensuring that the personal information contained in credit reports is accurate, up-to date, complete, and not misleading. D&B has significant processes and procedures in place to ensure this is the case. Having search and match routines that can maximise the matching of data to the millions of records contained in our databases is not made easy by the fact that information obtained from third parties is often not perfect. D&B does not cross-reference consumer files. Rather, if a consumer appears to have more than one credit file, those files will be merged or 'linked' into one file. A substantial part of the PAC Matrix deals with linking and its risks. D&B clients have access to credit information through an on-line delivery system which requires them to data enter details of the individual in which

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				they are enquiring. D&B's searching utilises the details captured on the "Data Entry Screen" to match against records held within the Consumer Credit Bureau database.
f	Is D&B's reporting and retention of credit information in accordance with rule 9 (Retention of Credit Information) and Schedule 1 (Maximum Reporting Periods)?	Corp, IT	IT systems software	Yes. D&B's IT systems automatically "lapse" (purge) credit records according to the type of credit information being held. D&B has an automatic archive routine set on information collected to meet the retention periods as outlined in Schedule 1.
g	Does D&B process direct marketing lists in accordance with rule 10(1C)?	N/A	N/A	N/A – D&B does not deal with direct marketing lists.
h	Does D&B process suppression, release or cancellation requests in accordance with Schedule 7 (Suppression of Credit Information)?	PAC	PAC Matrix	Yes. The PAC Matrix has detailed procedures for dealing with suppression requests
i	Does D&B process complaints in accordance with clause 8 (Complaints of breach of code)?	NZ/PAC	Complaints Handling Procedure PAC Matrix	Yes. D&B has a comprehensive complaints management system with standards that exceed the statutory limits both for acknowledging a complaint and substantively responding to a complainant. The D&B website sets out clear directions for lodging a complaint including e-forms that may be completed online or posted. D&B maintains a complaints register to identify the company division in which the complaint logically lies and the nature of the complaint. The D&B Complaints Handling Council reviews and analyses all complaints regularly to identify and rectify any systemic and recurring problems. D&B received no content or privacy-related complaints about credit reports in the twelve months of this Report. The complaints received all related to mechanical or procedural aspects of accessing reports, and were resolved very quickly.
j	Is D&B's website displaying accurate information that gave effect to rules 6(4)(b),	NZ	Compliance/Audit	Yes. D&B's website is www.dnb.co.nz .

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	7(4)(b), clause 8(3A) and clause 8.1 of Schedule 7?			
k	Are D&B's subscribers complying with agreements and controls?	NZ	Compliance/Audit	During the Report period, D&B continually reviewed the consent and control mechanisms of all its Customers with whom D&B has a subscriber agreement. To the best of D&B's knowledge and based on D&B's review of Customer documentation, all were compliant with agreements and controls.

7. Schedule 6 clause 4: Assurances relating to action taken on deficiencies identified

Requirement		Owner	Details	Assessment
a	Did D&B, where, during its systematic reviews, monitoring activities or as a result of a complaint, identify any breaches of an agreement, policy, procedure, control, or requirement of the code, investigate that breach and where appropriate, take prompt remedial action?	NZ/PAC	D&B Complaints Handling	Yes. The D&B Complaints Handling Council reviews and analyses all complaints regularly to identify and rectify any systemic and recurring problems. This is a topic specifically reviewed as part of the ISO Audit Review process, as well as in the course of this 2016 Assurance Report. In both cases (this Report and the 2016 ISO Audit Review), the systems were found to be working well.
b	Did D&B, where a deficiency was identified in the previous year's report, take, where appropriate, prompt remedial action?	N/A	N/A	No deficiencies were identified in the 2015 Report.
c	Can D&B provide an assurance it has complied with clause 6.1(b) of Schedule 8?	Yes. In relation to comprehensive credit reporting, D&B's is reasonably assured that its subscribers have notified their customers that their data may be passed to credit reporters (including D&B). The terms relating to CCR, including the notification requirement, are part of D&B's standard terms and services agreements.		

8. Appendices

Appendix 1 Clause 9 and Schedule 6 of the Credit Reporting Privacy Code 2004

Clause 9 – Credit reporter must provide assurance report

- (1) A credit reporter must submit to the Commissioner annually an assurance report prepared in accordance with the requirements of Schedule 6.
- (2) The report must be prepared by either:
 - (a) an independent person having expertise in undertaking a systematic review, such as a trained auditor; or
 - (b) a review committee, established by the credit reporter, that includes an independent person with expertise in relation to matters of compliance with this code.
- (3) The report must:
 - (a) cover the year to 30 June; and
 - (b) be submitted to the Commissioner within 3 months of the end of the year.

Schedule 6 – Assurance Report

(Rules 5 and 8 and clause 9)

Clause 9 requires a credit reporter to provide the Commissioner with a report, prepared with the involvement of an independent person, which is to reflect the outcome of the credit reporter's systematic reviews undertaken under rules 5(2)(h) and 8(3)(f) and monitoring activities undertaken under rules 5(2)(e) and 8(3)(c) and to provide other assurances in relation to code compliance, as set out below.

Process of review and reporting

1. The report must include:

- (a) a summary of the systematic review process and the methodology followed by the reviewer;
- (b) where the report was prepared by a review committee, a statement identifying the members of that committee, including the independent person;
- (c) information about the independent person's expertise; and
- (d) confirmation that the independent person is not an employee, director, or owner of the credit reporter.

Assurances relating to policies, procedures, controls and subscriber agreements

- 2. The report must provide a reasonable assurance that, in relation to the applicable period, the credit reporter:
 - (a) had policies in place that give effect to the requirements of the code;
 - (b) had internal procedures and controls in place to give effect to the policies and requirements of the code;
 - (c) provided information and training to its staff to ensure compliance with the policies, procedures and controls; and
 - (d) ensured that subscriber agreements that complied with Schedule 3 were in place before disclosing credit information.

Assurances relating to monitoring of policies, procedures, controls and subscriber agreements

- 3. The report must provide a reasonable assurance that, in relation to the applicable period, the credit reporter undertook monitoring activities to ensure reasonable compliance with the code, including that:
 - (a) the credit reporter followed its own policies, procedures and controls;
 - (b) the information held by the credit reporter was protected by reasonable security safeguards;
 - (c) the credit reporter processed information privacy requests in accordance with rules 6 and 7;
 - (d) the credit reporter took such measures as were reasonably practicable to avoid the incorrect matching of information held by the credit reporter;

- (e) the information held by the credit reporter was subject to reasonable checks to ensure that it was accurate, up to date, complete, relevant and not misleading;
- (f) the credit reporter's reporting and retention of credit information was in accordance with rule 9 and Schedule 1;
- (g) the credit reporter processed direct marketing lists in accordance with rule 10(1C);
- (h) the credit reporter processed suppression, release or cancellation requests in accordance with Schedule 7;
- (i) the credit reporter processed complaints in accordance with clause 8;
- (j) the credit reporter's website displayed accurate information that gave effect to rules 6(4)(b), 7(4)(b), clause 8(3A) and clause 8.1 of Schedule 7; and
- (k) subscribers complied with agreements and controls.

Assurances relating to action taken on deficiencies identified

- 4. The report must provide a reasonable assurance that, in relation to the applicable period:
 - (a) where, during its systematic reviews, monitoring activities or as a result of a complaint, the credit reporter identified a breach of an agreement, policy, procedure, control, or requirement of the code, the credit reporter investigated that breach and, where appropriate, took prompt remedial action; and
 - (b) where a deficiency was identified in the previous year's report, the credit reporter, where appropriate, took prompt remedial action.

Appendix 2

Paragraph 2.2: Additional Information about the independent person's expertise and independence

Ms Muller has never trained staff in, nor been engaged to assist at any stage with implementing, privacy policies or compliance programmes. She has not been involved in drafting or developing privacy policies for the last five years. Compliance implementation and training is managed by D&B's local compliance team led by its Privacy Officer. For privacy matters, Yvonne does not report locally. Instead she reports to Mary O'Leary, Senior Legal Counsel (Director, Legal & Regulatory) in Dun & Bradstreet (Australia) Pty Ltd, who is responsible for compliance in Australia and New Zealand. A negative audit review by Yvonne or a discovery by her of shortfalls or inadequacies relating to privacy and in particular for the requirements of this Report would not impact on the terms of Yvonne's engagement by D&B as its independent person.