



## Privacy Shield Annual Report

Insights Association Privacy Shield Program 8/1/2020 through 7/31/2021

### **Executive Summary**

The Insights Association represents companies, corporate research and analytics departments, and individuals working in marketing research and data analytics. The Insights Association was founded in 2017 with the merger of CASRO, the US trade association founded in 1975, and MRA, the US professional society founded in 1957.

The Insights Association is committed to supporting member companies' self-certification to the EU-US and Swiss-US Privacy Shield Frameworks. The Association offers this support through the Insights Association Privacy Shield Program which launched in April 2017. Details about our program can be found on our website <http://www.insightsassociation.org/get-support/privacy-shield-program>.

From August 1, 2016, through April 14, 2017, the Insights Association's predecessor, CASRO, operated the CASRO Privacy Shield Program. The Insights Association has been providing the program to its company members since April 14, 2017, and covers the period of August 1, 2020, through July 31, 2021, for the purposes of this annual report.

The Recourse, Enforcement and Liability Principle of the Privacy Shield Frameworks requires self-certifying organizations to provide an independent recourse mechanism (IRM) available to investigate unresolved complaints at no cost to the individual. Through the Insights Association Privacy Shield Program, member companies engage IRM services provided by the International Centre for Dispute resolution (ICDR). These IRM services are available at no cost to individuals.

### **Program Requirements and related compliance activities**

The Insights Association Privacy Shield Program is a benefit of organizational membership and requires an Annual Participant Agreement. 2021 continues that participation from those companies renewing their annual program enrollment since the 2020 report. In the three years since GDPR went into effect, renewals comprise the largest portion of the program participants with only one new participant as of the date of this report. The Insights Association currently has 39 market research companies as approved participants, with all of those being renewals in the last year, utilizing the dispute resolution service offered as a component of the program. The Insights Association offers Privacy Shield-related online guidance for businesses and consumers to their membership, no matter their participation in the Privacy Shield Program. Since late 2020 up to the date of this report, 5 companies have dropped their Privacy Shield self-certification, citing the economic pressures brought on by the Co-VID19 global pandemic and the July 2020 Schrems II ruling which invalidated the program with the EU and Swiss partners.

While the Insights Association does not perform Privacy Shield-related [verification services](#) as described on the Privacy Shield website, as the program is a self-certification and the participant organization is responsible for the attestations made in their privacy policy. As the IRM, the Insights Association PS Manager and General Counsel of the association help within that framework to ease questions and concerns that arise during the self-certification application and approval process.

Current participants in the program may present or promote their self-certification to Privacy Shield on their websites or other marketing communication channels. The Insights Association does not moderate this activity since Privacy Shield is a self-certification of participating organizations. However, the topic does

arise in *ISO/IEC 27001:2013 Information Security Management System – Requirements* audits performed by IA's certification body, Certification Institute for Research Quality (CIRQ), pertaining to other regulations or legislation the company adheres or certifies to as it strengthens its data protection initiatives.

Insights Association assists its participating organizations with their Privacy Shield compliance activities including reviewing and distribution of the Privacy Shield checklist. The association also provides access to its General Counsel if requested by a member organization, in cases where member does not have legal representation of their own. This service is a benefit of membership to the association.

### **Filing a Complaint**

To file a complaint with the registered IRM, Insights Association, the complaint must concern a company that is a participating business in the Insights Association Privacy Shield Program. For the complaint to be accepted, the individual must already have made a good faith attempt to resolve the complaint directly with the participating business and the complaint must allege that the participating business has violated the Privacy Shield Principles with respect to an individual's personal data or the personal data of a child under 13 of whom the individual is the parent or guardian.

Model complaint language:

(The Organization) has further committed to refer unresolved Privacy Shield complaints to Insights Association Privacy Shield Program, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit <http://www.insightsassociation.org/get-support/privacy-shield-program/privacy-shield-eu-swiss-citizens-file-complaint> for more information and to file a complaint. These dispute resolution services are provided at no cost to you.

All eligible complaints will be reviewed within 24 hours, and assistance will be provided to help the complainant individual and the participating business reach a resolution. As of the date of this report, there are no reported complaints from any Insights Association Privacy Shield program participating organization.

A participating business must comply with the final determination of any dispute submitted to the Insights Association Privacy Shield Program. However, participating in our dispute resolution process will not affect the legal rights of a consumer.

Complaints against participants in the Insights Association Privacy Shield Program are handled by the International Centre for Dispute Resolution/American Arbitration Association (ICDR/AAA) and the administrative procedures described [here](#).

If the complainant has failed to resolve the eligible complaint by working directly with the participating company, s/he may initiate the dispute resolution process by completing [this form](#) and submitting it by e-mail or regular mail according to the instructions listed on the form.

### **Program statistics: Eligible complaints**

The Insights Association Privacy Shield Program supported member companies in achieving self-certification to the EU-US and Swiss-US Privacy Shield frameworks. In fulfilment of the Recourse, Enforcement and Liability Principle of the Privacy Shield Frameworks, participants in the Insights Association Privacy Shield Program engaged IRM services operated by the International Centre for Dispute resolution (ICDR). These IRM services were available at no cost to individuals. For a detailed annual report, as it relates to the Insights Association Privacy Shield Program from August 1, 2020 – July 31, 2021, containing information about the total number of Privacy Shield-related complaints received; the types of complaints received; dispute resolution quality measures; and the outcomes of the

complaints received, including the number and types of remedies or sanctions imposed, please see the most recent ICDR annual report published on its website <http://go.adr.org/privacyshield.html>.