

Last updated: 13 May 2022

Onfido Facial Scan Policy And Release

The terms of this Onfido Facial Scan Policy and Release describe how Onfido Inc and its affiliate companies (“Onfido”), together with other biometric identity verification providers (“Providers”) treat facial scan data extracted from photos and videos of users in the United States. Notwithstanding any indication to the contrary, in Onfido’s [Privacy Policy](#), [Terms of Service](#) or any other document (including those provided by Providers), the terms of this Onfido Facial Scan Policy and Release shall prevail in the event of any inconsistency with other terms or notices provided to you.

The company that owns or operates the website or app that you are using or is providing the services you wish to access (“Company”) uses the Onfido Smart Capture technology to take a photo of your identity document and capture a selfie or video of you. On the instructions of the Company, Onfido and/or other Providers may:

- compare facial scan data extracted from your photo in your identity document to the facial scan data extracted from the selfie photo or video, to verify your identity (“Verification”),
- compare facial scan data from the image you upload when you first enrol to the facial scan data provided when you authenticate yourself as an authorised user of the Company’s services (“Authentication”),
- use your information, including your facial scan data, to detect and prevent fraud, including to determine whether they have previously verified a user’s identity, and
- where permitted by applicable law, to improve and develop their services.

The images of you obtained from selfies, videos or identity documents and facial scan data are collected, used and stored directly by Onfido and/or other Providers on behalf of Company as Company’s service provider through Company’s website or app that you currently are using.

Onfido securely stores all selfies, videos, photos of identity documents, and facial scan data in an encrypted format. Each of Onfido’s and/or Provider’s third-party vendors may have access to the facial scan data to store the data, to maintain backup copies, and to service the systems on which such data is stored.

Consistent with directions from the Company, Onfido will permanently destroy your facial scan data when directed to do so by the Company, or within one year of your last interaction with Onfido, whichever occurs first, unless otherwise required by law or legal process to retain the data. In the event that you do not complete the verification or authentication process, Onfido will not extract or process your facial scan data or attempt to verify or authenticate your identity. Onfido will retain a record of the partially completed process and any media you uploaded in accordance with the instructions of the Company through which you are accessing Onfido’s services.

In providing services to Company and processing your information Onfido will:

- use reasonable standards of care, consistent with its industry, to store, transmit, and protect from disclosure your facial scan data, in a manner that is the same as or more protective than the manner in which it stores, transmits, and protects other confidential and sensitive information,
- not sell, lease, trade, or, other than to provide the verification and authentication services described in this policy, otherwise benefit from facial scan data,
- other than as set forth herein, not disclose, redisclose, or otherwise disseminate facial scan data unless doing so:
 - a. Completes a Company transaction, in accordance with Company's instructions and as requested and authorized by you or your legally authorized representative;
 - b. Is required by state or federal law, or municipal ordinance;
 - c. Is required pursuant to a warrant or subpoena issued by a court of competent jurisdiction; or
 - d. Is expressly consented to by you.

Onfido is in no way linked to or responsible for the practices of other Providers. Onfido encourages you to read Company's privacy policies and terms and conditions, as well as those of other Providers, which may apply to the use of facial scan data extracted from photos and videos.

By clicking on the "Accept" button or otherwise proceeding to use the Onfido Smart Capture technology, that Onfido provides on behalf of Company, you agree that you have read, understand, and voluntarily consent to this Onfido Facial Scan Policy and Release, [Onfido's Terms of Service](#), and [Onfido's Privacy Policy](#), that you release in favour of the Company, Onfido and each of the Providers any claims related to your facial scan data and that you confirm that you are not accessing the services in any jurisdiction where the services are not permitted by applicable law.