

Privacy Notice - Howden Insurance (Ireland) Limited

1. INTRODUCTION

This Privacy Notice covers the information practices Howden Insurance (Ireland) Limited (“Howden”). Howden Insurance (Ireland) Limited is a member of the Howden Broking Group and is a Data Controller in its own right:

Data Controller	Registered Number	Registered Address
Howden Insurance (Ireland) Limited	338916	10 The Courtyard, Kilcarbery Park, Nangor Road, Dublin 22

We have appropriate safeguards in place, in accordance with our data protection obligations, for the protection of any Personal Data which we process. Our security controls are aligned to industry standards and good practice, providing a control environment that effectively manages risks to the confidentiality, integrity, and availability of your information. Additionally, we ensure that our staff remain aware of our data protection obligations and are required to undertake annual training and testing. We take the protection of your privacy and the confidentiality of your personal information (“Personal Data”) seriously. This Notice sets out how we meet our obligations regarding data protection and the rights of our customers, prospective customers, and former customers (“Data Subjects”) in respect of their Personal Data as defined under relevant data protection legislation (including the Data Protection Acts of 1998, 2003 and 2018 [“the DPA”], the General Data Protection Regulation effective from 25 May 2018 [“the Regulation”] and any subsequent data protection legislation).

The Regulation defines Personal Data as any information relating to an identified or identifiable natural person (a Data Subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or by one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

Howden is committed not only to the letter of the law, but also to the spirit of the law and places high importance on the correct, lawful, and fair handling of all Personal Data, respecting the legal rights, privacy, and trust of all individuals with whom we deal.

This Privacy Notice should be read in conjunction with our Cookie Policy and the Terms and Conditions of Use of any of the Howden websites you access. Any information you provide about you, and, where applicable, others, within any website operated by Howden will be processed as set out in this Privacy Policy.

2. ASSESSING PRIVACY RISK

We have identified the Personal Data types that we process and the methods by which we process such Personal Data. We have assessed the inherent risk associated with each particular data type and process and have in place practices and controls to minimise the risks of loss or damage through accident, negligence or deliberate actions. As well as reviewing this internally we also consider the processing activities of those third parties with whom we share data in order to meet our obligations to customers, staff, insurers, and those individuals that we deal with in our day-to-day activities.

3. HOW WE WILL COLLECT INFORMATION ABOUT YOU

We will collect information from you, your agents or representatives, as well as information received from:

- insurers and their agents;
- your employer (where appropriate);
- generally available sources such as information about you in the public domain (for example information on directors held at Companies House), online and from third party data processors (provided that it is fair to do so); and
- searches that we undertake in relation to sanctions, money laundering, and credit checks.

This will include data that you input into our webpages, whether this is in relation to raising an enquiry with us, obtaining a quotation (even if this process is discontinued before being finished), or requesting documentation.

The information obtained could include; your name, contact details (including address and e-mail address, telephone number), date of birth, gender, marital status, financial details, details of occupants of your property, employment details and benefit coverage, and details of your visits to and usage of our website (please see our Cookie policy). We may also collect 'special categories' of Personal Data (such as health, ethnic or racial origin or trade union membership) and criminal convictions data about you, and information about your family including children. (A full list of special categories of Personal Data is set out in the Regulation).

We will process Personal Data for and only to the extent necessary for the specific purpose(s) outlined in this document.

4. HOW WE WILL USE YOUR INFORMATION FOR THE PROVISION OF OUR BROKING SERVICES

The Data Controllers shall ensure that all Personal Data processed is kept secure and protected against unauthorised or unlawful processing and against accidental loss, destruction or damage.

Your Personal Data will be used to enable us to fulfil our contractual obligations in relation to your insurance cover and the provision of any ancillary risk management services. Our processing of your Personal Data will include:

- assessing your circumstances and insurance needs;
- presenting such details to insurers for the purpose of obtaining quotations and placing cover;
- arranging premium finance arrangements;
- processing claims;
- undertaking checks to guard against fraud, money laundering, bribery and other illegal activities;
- handling complaints; and
- analysing data, identifying trends, and developing and improving our services to you, including passing your name and e-mail address to Feefo Holdings Limited for the purpose of inviting you to submit a review in respect of our service

To ensure that our processing of your data is lawful, such processing will only be undertaken if:

- it is necessary for the performance of a contract to which you are, or will be, a party; or
- you have given your consent; or
- you confirm that any personal information you give to us about another person is given with their informed consent
- processing is necessary for compliance with a legal obligation to which we are subject; or
- processing is necessary to protect your vital interests; or
- to perform a task carried out in the public interest or in the exercise of official authority vested in us; or

- processing is necessary for the purposes of the legitimate interests pursued by us or by a third party, except where such interests are overridden by your fundamental rights and freedoms which require protection of Personal Data, in particular where the Data Subject is a child.

We will process special category and criminal conviction data we collect about you for the performance of our contract with you, which is deemed to be necessary for reasons of substantial public interest. This allows us to quote for and provide you with insurance products and services, to process claims and renewals and to administer your policy.

Where Personal Data about you is obtained from publicly available sources, we will only use such data fairly, meaning for legitimate purposes as would be anticipated of (and reasonably expected as) the activities of an insurance broker, or employee benefits consultant as appropriate, and not further processed in a manner that is incompatible with those purposes.

5. SHARING YOUR DATA

Howden seeks to offer clients a wide range of insurance broking and employee benefit consulting services. The Data Controllers will therefore share Personal Data with each other in order to inform you of other similar contracts and services provided by our other group companies that we believe you may benefit from. We only share limited Personal Data to enable this, typically name, contact details and type of insurance / investment / pension contracts you have effected and its associated renewal date. We will not share special categories of Personal Data (as defined in the Regulation), criminal convictions data or children's data between Howden group companies.

As a Data Controller, each entity is responsible for safeguarding your Personal Data. Where we have a specific Non-Disclosure Agreement in place with you, your data will only be shared with your explicit prior consent in accordance with its terms.

We may share your information with third parties only to the extent necessary to provide our services to you. These third parties may include:

- Your agent, adviser or employer
- Support companies for the delivery of the products and services we offer to you including but not limited to: insurers; other insurance brokers, loss adjusters and loss assessors; risk managers, administrators, incident management firms; professional advisors; premium finance companies; IT providers, internet service providers and mailing/fulfilment houses;
- Feefo to enable us to receive feedback on the services we have provided (their privacy notice can be found at: https://www.feefo.com/business/gb_en/privacy-policy)
- Our regulators and supervisory authority e.g. the Financial Conduct Authority (FCA), the Central Bank of Ireland (CBI), the Data Protection Commissioner (DPC) and the Information Commissioner's Office for the UK (the ICO)
- Law enforcement, credit and identity check agencies for the prevention and detection of crime
- Revenue Commissioners, HM Revenue & Customs (HMRC) e.g. for the processing of tax relief on pension payments or the prevention of tax avoidance
- As required under the Consumer Insurance Contracts Act, 2019 if you hold insurance against a liability that may be incurred by you against a third party, where for whatever reason you cannot be found or you become insolvent, or the court finds it just and equitable to so order, then your rights under the contract will be transferred to and vest in the third party even though they are not a party to the contract of insurance. The third party has a right to recover from the insurer the amount of any loss suffered by them. Where the third party reasonably believes that you as policyholder have incurred a liability the third party will be entitled to seek and obtain information from the insurer or from any other person who is able to provide it concerning:
 - the existence of the insurance contract,
 - who the insurer is,
 - the terms of the contract,

- whether the insurer has informed the insured person that the insurer intends to refuse liability under the contract.

We do not sell, rent or trade our mailing lists, phone numbers or email addresses.

6. MARKETING

Existing Customers

Howden may contact you about relevant products and services offered by Howden which may be of interest to you as part of your insurance and risk management strategy and also to provide news or information related to our business and the wider insurance market that we believe may be of interest to you in accordance with our legitimate interests.

Former or prospective customers

You may have provided Personal Data to us (including Personal Data provided for a quotation not taken up) or we may have obtained details about you from publicly available Personal Data. Furthermore, you may have effected a contract with us but you subsequently cease to have a relationship with us (for example by having no active policies with us). In these circumstances, we will retain this data for a period not exceeding 3 years from the date of our last contact or engagement, and will use this data in order to contact you with regard to your insurances and to provide news or information related to our business and the wider insurance market that we believe may be of interest to you in accordance with our legitimate interests.

7. OPTING OUT OF MARKETING

We want to make it easy for you to make your own choices as to what information you receive from us and how we contact you. Therefore, whether you are an existing, former or prospective client we will always remind you of your right to opt out of future marketing related communications each time we send such correspondence to you. You can elect not to receive any marketing related communications from us at all, or request that you only receive certain types of communication.

PLEASE REFER TO SECTION 13 BELOW FOR DETAILS OF THE DIFFERENT WAYS YOU CAN CONTACT US.

8. MOTOR INSURANCE DATABASE

Where we have contracted with you for this service, we have outsourced this service to Motor Data Solutions (MDS) who may add Information relating to your motor insurance policies to the Government's Motor Insurance Database (MID) managed by the Motor Insurers' Bureau (MIB). MID and the data stored on it may be used by Insurers, the Police, DVLA/DVANI, the Insurance Fraud Bureau or other bodies permitted by law for purposes including, but not limited to:

- Electronic Vehicle Licensing;
- Continuous Insurance Enforcement;
- Law enforcement (prevention, detection, apprehension and or prosecution of offenders);
- Obtaining information if you are involved in a road traffic accident (either in the UK, the EEA or certain other territories).

Persons (including his or her appointed representatives) pursuing a claim in respect of a road traffic accident (including citizens of other countries) may also obtain relevant information which is held on the MID.

9. DISCLOSURE OF YOUR PERSONAL INFORMATION

Where we use third parties to undertake functions on our behalf, as per examples provided in Section 5, above, we will only share relevant information with such third parties as is strictly necessary to enable them to perform those functions.

Information may also be supplied to our external auditors and professional regulatory bodies if required by them and to other parties if required or permitted by law.

It is our policy to retain documents and information about you, including insurances placed on your behalf, in electronic or paper format for a minimum of seven years or such longer period as appropriate having regard to when a claim or complaint may arise in connection with our processing of your information. The legal basis for this processing is that it is necessary to meet contractual, legal or regulatory obligations. After seven years, these may be destroyed or erased without notice to you. You should therefore retain all documentation issued to you.

10. YOUR RIGHTS

You have the right to:

- Know how we process your Personal Data;
- access the data we hold about you, which will be provided to you within one month of your request, and is free of charge unless we reasonably believe that your request is manifestly unfounded or excessive;
- have incomplete or inaccurate data rectified without undue delay;
- the deletion or removal of Personal Data where there is no compelling reason for us to continue to process it (where you object to Howden processing your Personal Data based on our legitimate interests, we shall cease such processing forthwith unless we have another lawful basis for such processing that overrides your interests, rights and freedoms; or the processing is necessary for the conduct of legal claims);
- restrict our processing of your Personal Data (although we will still be permitted to store it where we have a legitimate interest in doing so, for example to address future disputes, in which case access to such Personal Data will be restricted as appropriate);
- data portability (we will provide your data in a format that allows you to move, copy or transfer Personal Data easily from one IT environment to another in a safe and secure way, without hindrance to usability);
- object to our processing your data (this can be in relation to only certain types of processing if you wish, so that other types of processing necessary for the performance of our contractual obligations can continue) where we do so in connection with our legitimate interests, or in relation to our profiling your data or using it for marketing purposes.

If you would like to exercise any of your rights above you may do so by contacting us – please see section 13 below for contact details.

11. TRANSFERRING PERSONAL DATA TO A COUNTRY OUTSIDE THE EEA

The Data Controllers may from time to time transfer ('transfer' includes making available remotely) Personal Data to countries outside of the EEA where this is necessary for us to provide our services to you. This will take place only if one or more of the following applies:

1. The transfer is to a country, territory, or one or more specific sectors in that country (or an international organisation), that the European Commission has determined ensures an adequate level of protection for Personal Data;
2. The transfer is to a country (or international organisation) which provides appropriate safeguards;
3. The transfer is made with the informed consent of the relevant Data Subject(s);

4. The transfer is necessary for the performance of a contract between the Data Subject and the Company (or for pre-contractual steps taken at the request of the Data Subject);
5. The transfer is necessary for important public interest reasons;
6. The transfer is necessary for the conduct of legal claims;
7. The transfer is necessary to protect the vital interests of the Data Subject or other individuals where the Data Subject is physically or legally unable to give their consent; or
8. The transfer is made from a register that, under UK or EU law, is intended to provide information to the public and which is open for access by the public in general or otherwise to those who are able to show a legitimate interest in accessing the register.

12. HOW TO MAKE A COMPLAINT

We will always strive to collect, use and safeguard your personal information in line with data protection laws. If you believe we have not handled your information as set out in this Privacy Notice, or that we have processed your personal information in a manner that is not consistent with your rights, please contact us and we will do our utmost to make things right.

Please refer to section 13 below for contact details. If you are still unhappy, you can complain to the Information Commissioner's Office. Their contact details are:

Data Protection Commissioner, Canal House, Station Road, Portarlinton, Co. Laois
Telephone : 076 1104 800
Lo Call Number : 1890 252 231
Email : info@dataprotection.ie

13. HOW TO CONTACT US

If you need to contact us relating to any matter associated with this Privacy Notice, our contact details are listed below:

Telephone : 01 4611500
Email : compliance@howdeninsurance.ie.
Post : Howden Insurance (Ireland) Limited, 10 The Courtyard, Kilcarbery Park, Nangor Road, Dublin 22.

Alternatively, if you are an existing client of Howden, please feel free to contact your usual advisor directly.