

## ERGO Versicherung AG UK Branch and ERGO UK Specialty Ltd Data Privacy Notice

This data privacy notice is designed to help you, as a customer of ERGO Versicherung AG UK Branch and/or ERGO UK Specialty Ltd (herein referred to as ERGO), to understand how we process your personal data.

You are a customer of ERGO. However, you may have purchased your insurance through an intermediary, e.g. through an insurance broker or an agent that we have authorised to issue a policy on our behalf. Your broker or other intermediary may have their own reasons for processing your personal data. Please contact them directly should you require further data about their uses of your data.

The insurance lifecycle may involve the sharing of your personal data with other insurance market participants, although you may not have direct contact with some of them. You can find out more information about these processors by contacting the intermediary from whom you purchased your policy.

### Data Subject Access Rights

You have a number of rights in relation to the data we hold about you. These rights include but are not limited to:

- Data Portability: the transfer of your personal data to another Data Controller.
- Erasure: to have your personal data removed or deleted.
- Rectification: to have your personal data corrected if it is inaccurate.
- Restrict Processing: to restrict processing where your personal data is inaccurate, or the processing is unlawful.
- Subject Access Request: to access your personal data and information around its processing.
- To object to direct marketing.

Please note that there are times when we will not be able to delete your data. This may be as a result of a requirement to fulfil our legal and regulatory obligations or where there is a minimum statutory period of time for which we have to keep your data. If we are unable to fulfil a request, we will always let you know our reasons.

Please contact the Compliance Manager if you have questions concerning this Data Privacy Notice or your Data Subject Access Rights. You can contact the Compliance Manager at: MUNICH RE Group Offices, 13<sup>th</sup> Floor, 10 Fenchurch Avenue, London, EC3M 5BN or by emailing: [Compliance@ergo-commercial.co.uk](mailto:Compliance@ergo-commercial.co.uk) or by telephoning: 0203 003 7000

If you are unhappy with any response given or have a complaint, you can raise this with:

The Information Commissioner  
Wycliffe House, Water Lane  
Wilmslow, Cheshire  
SK9 5AF

## What information do we collect about you?

In the course of our relationship with you, we may process your personal data for a range of different reasons. For each reason we must have a lawful basis for processing and we will rely on the following as our lawful bases of processing:

- It is necessary in order to enter into a contract, or required for a contractual basis.
- We have a legal or regulatory obligation to use your personal data.
- We have a legitimate business need to use your personal data for business operation and administration purposes. When we use your personal data for these stated purposes, we have considered your rights and ensured that our business need does not cause you detriment.

### Personal Data

Categories of data	Type of information processed	Where the data comes from	Purpose of Processing personal data	Lawful basis of processing	Who we disclose data to
Individual Information	Name, address and contact details, marital status, date birth, gender, nationality, national insurance number,  Family details and their relationship to you	You Your family Your employer Insurance intermediaries or other insurance market participants.	It is necessary in order to enter into a contract, or required for a contractual basis	It is necessary for the purposes of a contract.	Group companies and firms providing administration services.  Reinsurers.  Our agents and other intermediaries or market participants.
Financial and Employment Information	Employer, Job title, Employment history, Financial history, Income,  Bank details, Credit history,	Anti Fraud Databases, Credit Reference Agencies, Sanctions Lists, Court Judgements.  Government and Civil Agencies.  Publicly Available Sources	It is necessary to evaluate and price the risks to be insured and validating any appropriate premium.	It is necessary for the purposes of a contract.  We have a legitimate business need	Credit reference agencies. Anti-fraud databases.
			It is necessary for setting you up as a client including possible fraud, sanctions, credit and anti-money laundering checks.	It is necessary for the purposes of a contract.  We have a legitimate business need  We have a legal or regulatory obligation	Government and Civil Agencies  Regulatory Bodies

Policy Information and Previous Claims History	Information about the quotes you receive and the policies you take out		It is necessary To assess or assist in claims made against a policy we underwrite	It is necessary for the purposes of a contract. We have a legitimate business need	
			It is Necessary for the purposes of providing documentation and communicating with you, and responding to any possible queries you may have	It is necessary for the purposes of a contract. We have a legitimate business need	
Statutory and anti- fraud information	Information from sanctions and anti-fraud databases concerning you.		It is necessary for the purpose of assessing mid-term adjustments and renewals, and processing cancellations	It is necessary for the purposes of a contract. We have a legitimate business need	
			It is necessary for Legal or Regulatory Purposes	We have a legal or regulatory obligation	
			Managing our business operations such as maintaining business and policy records.  Analysing and improving the products and services we offer.  To apply for and claim on insurance.	We have a legitimate business need	
Payment Information	Bank account or payment card details.	You	Collecting any appropriate premium.	It is necessary for the purposes of a contract.	

When we collect and process special categories of personal data, we must have one of the following additional legal bases for processing and we will rely on the following as our lawful bases of processing:

- You have provided consent
- It is necessary for an insurance purpose and is in the substantial public interest.
- It is necessary to establish, exercise or defend our legal rights.

## Special Categories of Personal Data

Categories of data	Type of information processed	Source of the data	Purpose of Processing Special Category personal data	Lawful basis of processing	Who we disclose data to
Individual Information	Health information and medical reports.	You, Your employer. Insurance intermediaries or other insurance market participants. Anti-fraud databases, sanctions lists, court judgments, government agencies. Government and Civil Agencies.	It is necessary in order to enter into an insurance contract , or required for a contractual basis	Consent It is necessary for an insurance purpose. It is necessary to establish, exercise or defend our legal rights	Group companies and firms providing administration services. Reinsurers. Our agents and other intermediaries or market participants. Credit reference agencies. Anti-fraud databases.
			It is necessary to evaluate and price the risks to be insured and validating any appropriate premium.	It is necessary for an insurance purpose.	
Employment Information	Information relating to any professional disciplinary action		It is necessary for setting you up as a client including possible fraud, sanctions, credit and anti-money laundering checks.	The prevention and detection of fraud is in the substantial public interest. It is necessary for an insurance purpose. It is necessary to establish, exercise or defend our legal rights	Government and Civil Agencies Regulatory Bodies
			It is necessary To assess or assist in claims made against a policy we underwrite	Consent It is necessary for an insurance purpose.	
			It is necessary for the purpose of assessing mid-term adjustments and renewals, and processing cancellations	It is necessary for an insurance purpose.	

Categories of data	Type of information processed	Source of the data	Purpose of Processing Special Category personal data	Lawful basis of processing	Who we disclose data to
Statutory and anti-fraud information	Criminal records and convictions.  Criminal records and convictions, including alleged offences and any caution, or court sentence.		It is necessary for Legal or Regulatory Purposes	It is necessary to establish, exercise or defend our legal rights  It is necessary for an insurance purpose	
			It is Necessary for the purposes of communicating with you, and responding to any possible queries you may have	It is necessary to establish, exercise or defend our legal rights  It is necessary for an insurance purpose	
			Managing our business operations such as maintaining business and policy records.  Analysing and improving the products and services we offer.  To apply for and claim on insurance.		

## Personal information about others

We may collect data about other individuals, such as employees, family, or members of your household. If you give us information about another person, it is your responsibility to ensure and confirm that you have told that person why and how ERGO uses personal data and that you have that person's permission to provide that data (including any sensitive personal data) to us and for us to process it.

## How we protect your information

Your privacy is important to us and we follow strict technical, physical and organisational procedures in the processing, storage, disclosure and destruction of your data. This is to protect against any unauthorised access or damage to, or disclosure or loss of, your data.

## Use of Consent

In order to provide insurance, or handle claims in certain circumstances, we may need to process special categories of personal data, such as medical records and criminal convictions. To do this we may require your consent. This consent may not have been given to us directly but may have been given to an intermediary from whom you purchased your policy, or an administrator handling your claim.

You may withdraw your consent to processing at any time by contacting the Compliance Manager. We will always attempt to explain clearly when and why we need this data and the purposes for which we will use it and will obtain your explicit consent to use sensitive personal data.

## Call monitoring and recording

For quality control purposes and to audit the evaluation process for the pricing of risks to be insured and the way in which claims are handled, we may review recordings of telephone calls made with the intermediary from whom you purchased your policy.

## Data retention

Your personal data will only be kept for as long as it is necessary for the purpose for which it was collected.

Category of data	How long we retain your data
Liability Records	12 Years following the conclusion of an insurance contract
Underwriting Records with an Employers Liability Element	60 years following the conclusion of an insurance contract
General Insurance Records	7 Years following the conclusion of an insurance contract
Complaints Records	5 Years following resolution
Claims Files	5 Years following full and final settlement
Accounting Records	10 Years
Audit Records	10 Years

## Transfer of data

Personal details may be transferred to countries outside the EEA. They will at all times be held securely and handled with the utmost care in accordance with all applicable principles of English law. Personal details will not be transferred outside the EEA unless it is to a country which is considered to have equivalent standards with regard to data protection, or we have taken reasonable steps to ensure that suitable data protection standards are in place. Your personal data may be disclosed to companies within the Group outside the EEA or to other entities outside the EEA that provide services to us for purposes of our administering your policy and fulfilling our obligations under it, subject to the above mentioned data protection measures.

## Employers' Liability Tracing Office

If your policy provides Employers' Liability cover, information relating to your insurance policy will be provided to the Employers' Liability Tracing Office (**ELTO**) and added to an electronic database, in a format set out by the Employers' Liability Insurance: Disclosure by Insurers Instrument 2011 and subsequent Instruments.

The ELTO database assists individual claimants who have suffered an injury or disease arising out of their course of employment whilst working for employers carrying on, or who carried on, business in the UK and as a result are covered by the employers' liability insurance of their employers:

- to identify which insurer (or insurers) was (or were) providing employers' liability cover during the relevant periods of employment; and
- to identify the relevant employers' liability insurance policies.

The database and the data stored on it may be accessed and used by claimants, their appointed representatives, insurers with potential liability for UK commercial lines employers' liability insurance cover and any other persons or entities permitted by law. The database is managed by the ELTO and further information can be found on the ELTO website <http://www.elto.org.uk>.

## Changes to this information notice

We may amend this Privacy Policy from time to time for example, to keep it up to date or to comply with legal requirements. Should any significant changes be made to the ways in which ERGO processes data from those described at the time of collection, we will post a notice on our website.