

DATA PRIVACY NOTICE

Your privacy is very important to us. This privacy notice (“Privacy Notice”) is provided by Berkshire Hathaway European Insurance DAC, registered office at 7 Grand Canal Street Lower, Dublin D02 KW81, (“BHEI”) in accordance with the data protection law including the Regulation (EU) 2016/679 (“GDPR”).

References to “we”, “our” and “us” in this Privacy Notice are references to BHEI. References to “you” or “your” refers to the individual whose personal data is being processed by BHEI (you may be the insured, beneficiary, claimant or other person involved in a claim or relevant to the insurance policy).

1. DATA CONTROLLER

A data controller is the natural or legal person, public authority, agency or other body which determines the purposes and means of the processing of personal data. Berkshire Hathaway European Insurance DAC, with registered office in 7 Grand Canal Street Lower, Dublin D02 KW81, Ireland, is the Data Controller as defined by the GDPR.

2. WHAT IS THE PURPOSE OF THIS PRIVACY NOTICE

In order to provide certain insurance products and services (including providing insurance quotes, insurance policies, and/or dealing with any claims or complaints), BHEI may collect information about you which constitutes personal data under the GDPR. This Privacy Notice explains how we collect, use, share and protect your personal data. Please read this Privacy Notice carefully to understand what we do with your personal data.

This Privacy Notice is available on <https://bhei.com/privacy-policy/> and may be changed and updated from time to time as required.

3. PERSONAL DATA WE MAY COLLECT ABOUT YOU

The types of personal data we collect may include:

Types of Personal Data	Details
Individual details:	Name, address (including proof of address), other contact details (e.g. email and telephone numbers), gender, marital status, date and place of birth, nationality, employer, job title and employment history, academic and professional information, family details, including their relationship to you.
Identification details:	Identification numbers issued by government bodies or agencies, including your national insurance number or, passport number, tax identification number and driving licence number
Financial information:	Bank account or payment card details, income or other financial information
Risk details:	Information about you which we need to collect in order to assess the risk to be insured and provide a quote. This may include data relating to your health, criminal convictions, or other special categories of personal data . For certain types of policy, this could also include telematics data.
Policy information:	Information about the quotes you receive and policies you take out
Credit and Anti-Fraud Data:	Credit history, credit score, sanctions and criminal offences, and information received from various anti-fraud databases relating to you
Previous and current claims:	Information about previous and current claims, (including other unrelated insurances), which may include data relating to your health, criminal convictions, or other special categories of personal data and in some cases, surveillance reports
Special categories of personal data:	Certain categories of personal data which have additional protection under the GDPR. Special categories of personal data which may be collected by BHEI are as follows: Health, criminal convictions, racial or ethnic origin, genetic or biometric data.

4. WHERE WE MIGHT COLLECT YOUR PERSONAL DATA FROM

We might collect your personal data from various sources, including:

- **you**;
- **your** family members, employer or representative;
- other insurance market partners;
- credit reference agencies;
- anti-fraud databases, sanctions lists, court judgements and other databases;
- government agencies;
- open electoral register; or
- in the event of a claim, third parties including the other party to the claim (claimant / defendant), witnesses, experts (including medical experts), loss adjustors, solicitors, and claims handlers

Which of the above sources apply will depend on **your** particular circumstances.

5. WHO HAS ACCESS TO YOUR PERSONAL DATA?

The insurance life-cycle may involve the sharing of **your** personal information between insurance market participants (an intermediary, insurer, reinsurer), some of which **you** will not have direct contact with. In addition, **your** personal data may not have been collected directly by **us**.

You can find out the identity of the initial data controller of **your** personal data within the insurance market life-cycle in the following ways:

- *Where you took out the insurance policy yourself:* the insurer and, if purchased through an intermediary, the intermediary will be the initial data controller and their data protection contact can advise you on the identities of other insurance market participants that they have passed **your** personal data to.
- *Where your employer or another organisation took out the policy for your benefit:* **you** should contact **your** employer or the organisation that took out the policy who should provide you with details of the insurer or intermediary that they provided **your** personal data to and **you** should contact their data protection contact who can advise **you** on the identities of other insurance market participants that they have passed **your** personal data to
- *Where you are not a policyholder or an insured:* you should contact the organisation that collected **your** personal data who should provide **you** with details of the relevant insurance market participant's data protection contact.

You can find out more information about how the insurance industry uses personal data at the following web address:

<https://img.london/wp-content/uploads/2019/07/LMA-Insurance-Market-Information-Uses-Notice-post-enactment-31-05-2018.pdf>

6. THE PURPOSES, CATEGORIES AND LEGAL BASES FOR OUR PROCESSING OF YOUR PERSONAL DATA.

Data protection law says that **we** are only allowed to hold, use or share personal data if **we need to do so or we have a legal basis for doing so**. BHEI relies on one or more of the following legal bases depending on the type of data and the purpose for using it:

- **To fulfil a contract we have with you**
- **When we are legally obliged to do so**

- **When it is necessary for reasons of substantial public interest**
- **When we need to establish, exercise or defend legal claims**
- **When it is necessary to protect your vital interests**
- **When it is in our “legitimate interest” (i.e. we have a commercial or business reason)**
- **When your consent is required and you consent to it**

We set out below the purposes and legal basis for which **we** may process **your** personal data during the lifecycle of providing insurance products and services to **you**.

Purpose	Categories of Data	Our Reasons/Legal Bases
Quotation /Policy Inception		
<ul style="list-style-type: none"> ▪ Setting you up as a client including possible fraud, sanctions and anti-money laundering checks ▪ Evaluating the risks to covered and matching to appropriate policy /premium ▪ Payment of premium where the insured/policyholder is an individual 	<ul style="list-style-type: none"> ▪ Individual details ▪ Identification details ▪ Financial Information ▪ Policy Information ▪ Risk details ▪ Previous claims ▪ Credit and anti-fraud data 	<ul style="list-style-type: none"> ▪ Performance of our contract with you ▪ Compliance with a legal obligation ▪ Legitimate interests <ul style="list-style-type: none"> - Ensure client is within our acceptable risk profile - <u> </u>To ensure appropriate product and premium
Policy Administration		
<ul style="list-style-type: none"> ▪ Client care and including communication with you and sending updates ▪ <u> </u>Payments to and from individuals 	<ul style="list-style-type: none"> ▪ Individual details ▪ Policy information ▪ Risk details ▪ Previous claims ▪ Current claims 	<ul style="list-style-type: none"> ▪ Perform contract ▪ Your vital interests ▪ Legitimate interests <ul style="list-style-type: none"> - To correspond with clients, beneficiaries and claimants in order to facilitate the placing of the policy and the handling of claims ▪ Substantial Public Interest ▪ <u> </u>Consent
Claims Processing		
<ul style="list-style-type: none"> ▪ Managing insurance and reinsurance claims ▪ Defending or prosecuting legal claims ▪ <u> </u>Investigating or prosecuting fraud 	<ul style="list-style-type: none"> ▪ Individual details ▪ Policy information ▪ Risk details ▪ Previous claims ▪ Current claims ▪ Health data ▪ Criminal records data ▪ Other sensitive data 	<ul style="list-style-type: none"> ▪ Perform contract ▪ Legitimate interests <ul style="list-style-type: none"> - To assess the veracity and quantum of claims - Defend and make claims - To assist with the prevention and detection of fraud ▪ Consent ▪ Legal claims ▪ Substantial public interest
Renewals		
<ul style="list-style-type: none"> ▪ Contacting the insured/policyholder to renew the insurance policy ▪ Evaluating the risks to be covered and matching to appropriate policy/premium 	<ul style="list-style-type: none"> ▪ Individual details ▪ Policy information ▪ Risk details ▪ Previous claims ▪ Current claims 	<ul style="list-style-type: none"> ▪ Perform contract ▪ Legitimate interests <ul style="list-style-type: none"> - To correspond with clients in order to facilitate the placing of the policy ▪ Consent

- Payment of premium where the insured /policyholder is an individual
- Substantial Public Interest

Throughout the insurance lifecycle

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|---|--|---|
| <ul style="list-style-type: none"> ▪ Complying with our legal and regulatory obligations ▪ Pricing and risk modelling ▪ Handling complaints ▪ Transferring books of business, company sales and reorganisations | <ul style="list-style-type: none"> ▪ Individual details ▪ Policy information ▪ Identification details ▪ Current claims ▪ Previous claims ▪ Financial Information ▪ Risk details | <ul style="list-style-type: none"> ▪ Legal Obligation ▪ Consent ▪ Substantial Public Interest ▪ Legitimate Interests <ul style="list-style-type: none"> - To structure our business appropriately - To build risk models that allow the acceptance of risk at appropriate premiums |
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7. WHO WE MAY SHARE YOUR PERSONAL DATA WITH

In order to undertake the activities listed above it may be necessary to share **your** data with third parties. Who **we** share this data with may depend on the insurance products and services we provide to **you** but may include:

- Other insurers that co-insure your policy
- Reinsurance intermediaries
- Reinsurance Companies
- Loss adjusters, solicitors and claims management companies
- Anti-Fraud agencies and private investigators
- Government departments and databases
- Outsourced service providers
- Regulators
- Our Berkshire Hathaway entities and affiliate entities
- Other persons providing auxiliary services on behalf of BHEI

8. PROFILING

When calculating insurance premiums, insurance market participants may compare your personal data against industry averages. **Your** personal data may also be used to create the industry averages going forward. This is known as profiling and is used to ensure premiums reflect risk.

Profiling may also be used by **us** to assess information you provide to protect against fraud.

9. RETENTION OF YOUR PERSONAL DATA

We will keep **your** personal data only for so long as is necessary and for the purpose for which it was originally collected.

10. INTERNATIONAL TRANSFERS

We may need to transfer **your** data to insurance market participants or their affiliates or sub-contractors and BHEI group affiliates which are located outside of the European Economic

Area (EEA) where data privacy laws may not be the same as they are in the EEA. Those transfers are undertaken with the required GDPR safeguards in place.

11. YOUR RIGHTS

As set forth by the applicable data protection legislation, **you** have the right to:

- Be informed of what personal data (if any) we hold about you;
- Be informed about how we use **your** personal data;
- Be provided with a copy of the personal data that we hold about you;
- Request that any inaccuracies in the personal data **we** hold about you is corrected or updated;
- Request that any personal data, for which **we** no longer have a lawful basis to use, be deleted;
- Where our use of your personal data is based on your consent, to withdraw **your** consent so that **we** no longer use your personal data;
- Object to us using your personal data for our legitimate interests, however we will be entitled to continue that use if our interests outweigh any prejudice to **your** data protection rights;
- Request that we restrict how **we** use **your** personal data whilst a complaint is being investigated;
- Be provided with a copy of **your** personal data in an electronic machine-readable format for your own use or for the purpose of sharing with a new insurer; and
- File a complaint with **us** and/or the relevant data protection authority.

12. OUR CONTACT DETAILS

If you have any questions in relation to **our** use of **your** personal data, **you** can contact the Data Protection Officer at BHEI by post or email using the following details:

Data Protection Officer

Berkshire Hathaway European Insurance DAC
7 Grand Canal Street Lower,
Dublin D02 KW81

E-Mail: DPO@bhei.eu

13. YOUR RIGHT TO COMPLAIN TO THE DATA PROTECTION AUTHORITY

England

Information Commissioners Office Tel: 0303 123 1113 (local rate) or
Wycliffe House Tel: 01625 545 745 (national rate)
Water Lane Email: casework@ico.org.uk
Wilmslow
Cheshire
SK9 5AF

Scotland

Information Commissioner's Office Tel: 0131 244 9001
45 Melville Street Email: Scotland@ico.org.uk
Edinburgh
EH3 7HL

Wales

Information Commissioner's Office Tel: 029 2067 8400
2nd floor Churchill House Email: wales@ico.org.uk
Churchill way

Cardiff
CF10 2HH

Northern Ireland

Information Commissioner's Office Tel: 0303 123 1114 (Local rate)

3rd Floor, 14 Cromac Place Tel: 028 9027 8757 (national rate)

Belfast Email: ni@ico.org.uk

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