



26th November 2019

# **Data Protection Summary for Broker Customers**

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**This document is a summary of the AXA Insurance Data Protection Statement. It contains a brief description of the information you need to understand how we use your data.**

If you would like more detailed information on how we use your data, please contact your Broker and request the full AXA Insurance Data Protection Statement or send an email to AXA at [dataprotection@axa.ie](mailto:dataprotection@axa.ie). We encourage you to periodically review this document (or an updated version of it) or our full Data Protection Statement to keep informed about how we use your personal data.

Please note references to “AXA”, “us”, “our” and “we” mean AXA Holdings Ireland Limited and its subsidiaries, including AXA Insurance dac (the ‘data controller’), and any associated companies from time to time.

## 1 General

**Please make sure that anyone else who is insured under your policy has provided you with permission to provide their personal information to us.**

**It is important that you show this document or the full AXA Insurance Data Protection Statement to anyone else who is insured under your policy of insurance, including any named drivers and anyone living at the property insured under your policy, as it also applies to them.**

### Queries and Complaints:

If you would like to contact us in relation to any aspect of our use of your personal data, please contact our Data Protection Officer (or 'DPO') at +353 (0)1 471 1812 or [compliance@axa.ie](mailto:compliance@axa.ie) or write to: DPO, AXA Insurance dac, Wolfe Tone House, Wolfe Tone Street, Dublin 1.

Alternatively you have the right to lodge a complaint with a data protection regulator, such as the Data Protection Commission. Their contact details are available at [dataprotection.ie](http://dataprotection.ie).

## 2 Collection

As a Broker customer, the majority of the information we receive about you (and any other people insured under your policy of insurance) comes from your Broker. We may also obtain personal data from various other parties or sources, including you, your representatives (if applicable), other insurance companies, third parties involved in a claim or potential claim, the emergency services and from searches (such as industry databases, State or government departments, bodies or agencies, media outlets or credit reference agencies).

## 3 Use of Information

We mainly use your personal information so that we can provide a quote, set up, administer and manage your policy and to manage and investigate complaints and claims. However, we may also use the personal data we gather for any or all of the following purposes:

- to verify your (or your representative's) identity;
- to provide customer loyalty programmes and value added services;
- for statistical analyses and the review and improvement of AXA's products, services and processes;
- to carry out market research and to improve our processes, products or services;
- for the detection and prevention of fraud, money laundering and other offences;
- for staff training and management;
- for storage and to make back-ups of data;
- for reinsurance purposes and AXA Group reporting purposes (where necessary);
- for compliance with all relevant laws and regulations; and/or
- as set out in this documents and other documents provided or made available to you.

### Legal Basis for processing:

The legal bases we rely on for using your personal data for the above purposes in the majority of circumstances are where:

- the processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract (including a quote that is not taken up);
- the processing is necessary for compliance with a legal obligation to which we are subject;
- the processing is necessary for the performance of a task carried out in the public interest; and
- the processing is necessary for the purposes of the legitimate interests pursued by us. In such cases, our legitimate interests are as follows:
  - to use your data to make certain types of payment that are not required by law or a contract;

- to add value to the AXA product offering;
- to engage in activities to improve and adapt the range of products and services we offer and to help our business grow and to ensure that our systems are effective and efficient;
- to investigate and prevent potential fraudulent and other illegal activity; or
- the proper running of its business.

Sensitive data (such as criminal conviction and health related data) will only be processed for any of the above purposes by way of (a) explicit consent, (b) for the assessment of risk, (c) for the prevention of fraud, (d) for the establishment, exercise, enforcement or defence of legal claims or (e) to protect the vital interests of a person.

### Telematics

Telematics is a system that is used to measure your driving performance and to determine the risk associated with your insurance policy. If your policy has this feature (check your Policy to see if it applies to you), we will analyse certain aspects of your driving behaviour, such as your speed, to determine your premium. We may cancel your insurance policy if we determine (at our sole discretion) that you are driving unacceptably.

**If you allow someone else to drive your car, you must inform them that the trips are being recorded and that details of the trips will be available to you, your Broker and your Insurer.**

**It is also important to note that anyone who drives your car will affect the evaluation of the risk associated with your policy, which may result in a higher premium or cancellation of your insurance policy (in addition to any other rights we may have under your policy).**

## 4 Sharing of Information

In providing our services to you we may share your personal data with various third parties, including:

- Your representatives, such as a relative, another person insured under your policy, your Broker or your lawyers;
- Our representatives, such as companies that provide various services (including telecommunications, data storage, document destruction, fraud detection, credit checking, IT, risk analysis and complaints handling), claims related service providers (including for the assessment of liability, injuries, damage to vehicles and other property), lawyers and, from time to time, private investigators;
- Other third parties, such as other individuals involved in incidents (and their representatives), other insurance companies, anti-fraud databases (such as InsuranceLink, the Claims and Underwriting Exchange Register and the Motor Insurance Anti-Fraud and Theft Register), reinsurers, external advisors and auditors and AXA Group companies; and
- State or government departments, bodies or agencies (such as the police, the Department of Transport and the Driver and Vehicle Licensing Agency, the Motor Insurance Database, the National Vehicle File, the Motor Insurers' Bureau and the Motor Insurers' Bureau of Ireland).

## International Transfers

On occasion we or a service provider may transmit certain aspects of your personal data outside the European Economic Area. In such circumstances, we will ensure that such transmissions are carried out securely and in accordance with data protection law.

The non-European Economic Area countries to which we send personal data include i) The UK (in the event that the UK leaves the EU without a deal) ii) the United States of America, iii) India, iv) Switzerland and v) AXA Group companies in non-EEA countries.

AXA complies with the law regarding international transfers of data by relying on the European Commission's standard data protection contract clauses under Article 46.2 of the General Data Protection Regulation (in relation to items i, ii and iii above), the decisions of the European Commission stating that certain countries, such as Switzerland, ensure adequate levels of data protection in their law, as per Article 45 of the GDPR (in relation to item iv above) or binding Corporate Rules under Article 47 of the GDPR (in relation to item v above).

If you would like more information about the relevant safeguards involved in the transfer of personal data to countries or companies outside the European Economic Area, please visit the European Commission's website on international data transfers at <https://ec.europa.eu/info/law/law-topic/dataprotection/international-dimension-dataprotection> or contact our DPO using the details in Section 1 'General' above.

## 5 Data Collected

The table below contains examples of the types of data we collect for the purposes set out in this document:

Category	Type of Data Collected
Policy information	Name, address, date of birth, gender, licence details, payment details, vehicle and property details, driving and claims history, relevant criminal convictions, penalty points, etc.
Information obtained from sources other than you	Penalty points, address look up, geocoding information, vehicle details and history, credit score, etc.
Claims information	The circumstances of an incident, health information (injuries and relevant pre-existing health conditions), relevant criminal convictions, etc.

## 6 Retention of Data

Generally we keep personal information for the following periods:

Type of Information	Retention Period
Quote information (where a policy is not taken out)	15 months
Policy information	The life of the policy plus 10 years
Claims information	10 years from when the claim is finalised (settlement, court hearing, withdrawal of claim, etc.)
Claims information – where there is the potential for a child to make a claim	Up to 3 years after the child in question turns 18 years of age

We also retain certain limited details beyond these periods to deal with any claims we receive after the statute of limitations has expired (late claims) and any claims we receive where the claimant was not aware of the damage until a long time after it was caused (latent claims). We retain these details (for example names, policy start and finish dates and cover details) for 25 years (for late claims) and 60 years (for latent claims).

## 7 Automated Decision-Making

We use automated decisions-making, using information including customer details and claims experience, in the underwriting of your insurance policy.

Underwriting is the process by which an insurance company examines, accepts or rejects risks and classifies those selected in order to charge an appropriate premium. We use an algorithm, which uses complex mathematical and actuarial methods of calculating and pooling risk, for insurance underwriting purposes. Where we use automated decision-making, you are entitled to make representations to a member of staff in relation to the decision in question.

If you have a telematics device installed in your car, we also use automated decision-making in relation to your driving behaviour. These decisions relate to the calculation of your premium and, if applicable, the cancellation of your policy for unacceptable driving.

## 8 Your Rights

As a 'data subject', you have the right:

- a. to withdraw consent where we are processing your information on the legal basis of consent;
- b. of access to the personal data concerning you that we hold and to be informed why and how we process that data;
- c. to require us to correct any inaccurate information about you (including missing details). In certain cases, you are required by the terms of your insurance policy to make such corrections.
- d. of erasure/to be forgotten, which means you have a right to have personal data concerning you erased. However you may only request the deletion of your data in specific situations.
- e. to data portability, which means you may request from us all personal data that you provided to us. You may also request that we send this data to another company or person.

- f. to restrict processing of your personal data where you feel that it is inaccurate, that we are processing it unlawfully or that we no longer need it or where you have invoked your right to object (as set out in Section 8 (g) below).

- g. to object to the processing of your personal data, where we do so in the public interest or on the basis of a 'legitimate interest' (see the Legal Basis section above). We will then stop processing the personal data in question unless we can demonstrate compelling legitimate grounds for the processing that override your right or unless we need to use it in a legal claim.

**Please send all requests to us (details in Section 1 'General' above) in writing (by post or email).**



**If you have any  
queries about your  
insurance policy,  
please contact  
your Broker.**

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