

# Tesco Underwriting Privacy Notice

(Non-Tesco Customer or Non-Tesco Claimant)

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## Introduction

### Your personal data: how we collect, use, and protect it (Our ‘Privacy Notice’)

This privacy notice applies to you if you do not have a policy that is underwritten by Tesco Underwriting, but your personal data is being used by us to handle a claim. It is very important to us that we handle your personal information responsibly. This document explains how we collect, use and protect your personal information. In particular, it explains things like:

- why we need your information for certain things;
- how we obtained your information;
- how we share your information with others;
- your rights under data protection laws.

### What the law says about handling personal data

The personal data protection laws control how we use your personal data, for example, we must be transparent about how we collect and use your personal data. They also grant you rights, such as the right to access the personal data that we hold about you (see section ‘Your Rights’).

## What sort of data might Tesco Underwriting hold about you?

Tesco Underwriting have been provided with or has collected personal information about you because we need it to either assess and handle any claim you have made or were involved in with our insured, send documentation to you, assist with our recovery of claims costs or, in the event you were a witness to an accident, to help us to establish who was at fault. If you do not want us to use your information for these reasons, you have the right to ask us not to do so although this could affect our ability to handle any claim you have made.

We may collect a variety of information about you including personal information such as your name, address, contact details, vehicle registration number and of the insurance policy you hold with your own insurer. Where it is relevant, we may also collect sensitive personal data. For example, when dealing with a claim under an insurance policy, you might need to tell us about a medical condition or injury. When we process this type of information, we will only do so if we have a legitimate reason.

### How we collect and keep data about you

We will attempt to contact you using the information that has been provided to us. Telephone calls are recorded for training and monitoring purposes and to prevent and/ or detect fraud. Any additional information you give us will also be recorded on our claims system against the relevant claim, this may include details of any damage to your vehicle and any injuries you may have sustained.

### More information about the times we collect personal data about you

When you call us we monitor and record calls to and from our claims service centres to improve our service and to prevent and detect fraud.

When you contact us or Tesco Bank electronically (e.g. by email or Internet), they and us may collect an electronic identifier, such as your internet protocol address.

### We may gather other data about you

We may obtain and combine data about you from other places such as credit reference agencies, financial crime and fraud prevention agencies, the Claims and Underwriting Exchange, and publicly available resources, such as the electoral register and the internet.

We do this so we can make sure the personal data we hold about you is accurate, to perform checks, and offer you our services.

### Processing Your Data

The law requires us to tell you how we process your personal data. "Processing" is a legal term but means anything we do with it, such as collecting, gathering, obtaining, administering, adapting, keeping and deleting your personal data. We must also tell you who we may share your data with and why.

## How do Tesco Underwriting use your personal data?

To assist us in handling claims, we will need to use your personal data and the personal data of any other party in the vehicle at the time of the accident.

We will need to use this data at all stages of our relationship with you, including:

- providing details of the services available to you;
- during the time we have a relationship with you;
- and for a period of time afterwards.

The way we use the personal data about you and others includes:

- recording and processing claims;
- assessing fault in any accident;
- assisting you with any claim including for damage and personal injury;
- passing your data to selected suppliers including hire companies, solicitors, medical agencies and treatment providers (see also the section 'Who do Tesco Underwriting share your personal data with?')

### We also use your personal data for other 'legitimate business interests'

These are other uses allowed by law which are necessary to enable us to provide our products and services. These include:

- detecting and preventing fraud, other forms of financial crime, and other unlawful acts;
- managing and operating our business;
- improving our business (see below).

### We may use your personal data to improve our business

The law allows us to use your personal data in reasonable ways to help us improve our business.

The ways we might use your personal data to improve our business are to:

- understand customers' and claimants needs and requirements;
- develop and test products and services;
- carry out research and analysis on our products and services;
- share it with those listed in the section "Who do Tesco Underwriting share your personal data with".
- When we use your personal data to improve our business, we always make sure we keep the amount of data we collect and use to an absolute minimum.

## Who do Tesco Underwriting share your personal data with?

### Why we share your personal data

In order to provide our services to you and our insured, it is necessary for us to share your information with other organisations including other insurers, regulatory bodies, third parties that provide a service that we do not provide or to prevent fraud and other forms of financial crime.

### Tesco Underwriting will only share your personal data:

- where we have your permission;
- where the law says we must;
- where sharing the personal data meets the requirements of the data protection laws, e.g. for a legitimate interest, such as fraud prevention.

Whenever we share data, we only share the amount necessary to achieve the objective of the sharing.

### Tesco Underwriting will only share your personal data with these people:

- anyone you nominate to act on your behalf;
- regulatory bodies and authorities;
- credit reference agencies;
- fraud and other financial crime prevention agencies;
- our service providers (including those who provide fraud and financial crime detection and professional services and those that carry out research and analysis on our behalf to improve our products and services);
- the Claims and Underwriting Exchange (CUE) and other similar organisations;
- other insurers or reinsurers for claim administration purposes.

## How Tesco Underwriting may use your personal data to contact you

We may contact you by phone, post, email or text if these details have been provided to us. This contact will be limited to the services we are able to offer/ are providing you with, to assist in recovery of our claims costs or to help us establish who was at fault. For reasons of security, we will keep to a minimum any confidential information we include in the emails or texts we send you. We will not use your contact details for marketing purposes.

## How is information used to make decisions and prevent fraud and other forms of financial crime?

### We may check your personal data with other organisations

We may check your information, with organisations such as:

- the DVLA;
- the Claims and Underwriting Exchange (CUE), run by MIB Management Services Limited (MSL);
- the Motor Insurance Anti-Fraud and Theft Register, run by the Association of British Insurers (ABI);
- the Insurance Fraud Register, run by the Insurance Fraud Bureau.

We may also check your information with other similar organisations, fraud prevention agencies and credit reference agencies.

### For more information about credit reference agencies.

The three main credit reference agencies are TransUnion, Equifax and Experian.

To learn more about what they do, what information they hold, and what your rights are, go to:

[www.transunion.co.uk/crain](http://www.transunion.co.uk/crain), [www.equifax.co.cuk/crain](http://www.equifax.co.cuk/crain), or [www.experian.co.uk/crain](http://www.experian.co.uk/crain)

### We may share information we hold about you with others

We may share information you have given to us so we can check it is correct, and to help detect and prevent crime, including fraud and money laundering.

### Agencies will keep a record of our enquiries

A record of our search will be left on your file at the credit reference agency. This record may be visible to lenders when they carry out checks in the future.

This will not affect your credit rating.

### How to get more information about the Claims and Underwriting Exchange

For more information about the Claims and Underwriting Exchange, go to [www.mib.org.uk](http://www.mib.org.uk)

### How to get more information about the Insurance Fraud Bureau

For more information about the Insurance Fraud Bureau, go to [www.insurancefraudbureau.org](http://www.insurancefraudbureau.org)

## Fraud and financial crime prevention agencies

## **We might collect information from other publicly available sources, such as social media**

We may research, collect and use data from publicly available sources. We do this to help detect and prevent fraud and other forms of financial crime. If you are not sure what information you have made available to the public on social media, we recommend that you visit the privacy settings on each of your social media accounts.

## **What happens if we suspect fraud or other forms of financial crime?**

If you give inaccurate details, or we suspect fraud or other financial crime, we will share this information with other organisations.

They may use this information when making decisions about you and others in your household.

## **We might allow law enforcement agencies to access your personal data**

We, and fraud and financial crime prevention agencies, may also allow law enforcement agencies to access and use the personal data we know about you. They do this where they believe that it is absolutely necessary to detect, investigate and prevent crime.

## **How long do fraud and financial crime prevention agencies hold your personal data?**

Fraud and financial crime prevention agencies hold personal data for different periods of time.

If they think that someone poses a fraud or other financial crime risk, they can hold that personal data for up to six years.

## **What happens if we suspect fraud or other forms of financial crime, you give inaccurate information or do not have the right to UK residency?**

If we, or a fraud or financial crime prevention agency, think that you pose a fraud or other financial crime risk, or if we think you have given inaccurate information, we may:

- refuse to settle any claims made by you;
- stop providing existing services to you.

## **We will keep a record of any fraud or other financial crime risk**

Both we and fraud and financial crime prevention agencies will keep a record of any fraud or other financial crime risk. This may result in others refusing to provide services, financing or employment to you.

## **Sending your personal data to other countries**

### **We will only send your personal data outside the EEA if we know it will be well protected**

Sometimes we might send your personal data to another country if, for example, our service provider has a data centre overseas.

All countries within the EEA have broadly the same data protection laws. Before sending your personal data outside the EEA, we check that the recipient will be able to keep your personal data secure and that:

- the EU Commission confirms that the recipient is established in a country which offers essentially equivalent protection to that provided within the EEA; or
- we have asked the recipient to sign the EU Commission's 'model contract'. This means they must meet EU standards of data protection.

When your personal data is in another country, it may be accessed by law enforcement agencies in those countries. They do this to detect and prevent crime, or because the law says they must.

## How long does Tesco Underwriting keep your personal data for?

### We keep your personal data for a reasonable period only

This will depend on:

- the type of service we are providing for you;
- how long we are required to by law or regulation;
- Information needed to prevent fraud and or other financial crime;
- legitimate business reasons such as aiding in a response to a complaint or legal claim.

Generally, we retain claims records for up to 10 years from settlement. If the claim involves personal injury, there may be circumstances where we keep your personal data for up to 21 years from settlement.

We retain claims records so that we can meet our legal, regulatory, tax or accounting obligations. We will also retain claims records if there is a reasonable prospect of litigation.

We may also retain information in an aggregated form to allow us to develop and improve our products and services.

## Your rights

### You have the right to know what data we hold about you

This is referred to as your 'Subject Access Rights'.

### The law entitles you to see the data we hold about you

If you ask us for this, we will give you access to, or send you a copy of all your personal data (there are a few exceptions to this, such as access to personal data about third parties).

### **If you want a copy of your personal data**

If you want to see what data we hold about you or any claim you have made with us, you should contact the Data Subject Access Team, Tesco Underwriting, Q8 Quorum Business Park, Newcastle, NE12 8BU. We will respond to your request within one month. We may get in touch sooner if we need extra information to help us find your personal data, or to verify your identity.

### **You have the right to receive the personal data you have provided to us in an easily transferable digital format**

This is known as the 'right to data portability'.

This means you can ask us to send your personal data to you, or another organisation (such as an insurer) in this format.

### **You have the right to change or amend your personal data**

If you think any of the personal data we hold about you is incorrect or incomplete, let us know and we will change it.

### **You have the right to stop us or restrict us from using, or request that we erase the personal data we hold about you**

If you want us to stop using, or restrict our use of your personal data, or you want us to erase it entirely, please let us know. There are times when we may not be able to do this – for example, if the information is related to an existing or recent claim between you and us, or if the law says we need to keep your personal data for a certain amount of time.

### **Contact us for more information about how we handle your personal data**

If you have concerns about how we handle your personal data, or just want more details, please write to our Data Protection Officer at the address below. We will try and sort things out as quickly as we can. **Their postal address is:** Q8, Quorum Business Park, Newcastle, NE12 8BU. Alternatively, **their email address is** [TUdataprotectionofficer@tescobank.com](mailto:TUdataprotectionofficer@tescobank.com).

### **For more information about your rights, visit the Information Commissioner's Office website**

The Information Commissioner's Office is the UK's independent authority set up to uphold information rights and promote data privacy for individuals. Their website is [www.ico.org.uk](http://www.ico.org.uk)

If you have a complaint or concern about how we have handled your personal data and we have not been able to sort it out to your satisfaction, you have the right to lodge a complaint with the ICO.