

PRIVACY NOTICE

THE PURPOSE OF THIS NOTICE

This Notice is designed to help you understand what kind of information we collect in connection with our products and services and how we will process and use this information. In the course of providing you with products and services we will collect and process information that is commonly known as personal data.

This Notice describes how we collect, use, share, retain and safeguard personal data.

This Notice sets out your individual rights; we explain these later in the Notice but in summary, these rights include your right to know what data is held about you, how this data is processed and how you can place restrictions on the use of your data.

It is important that you read this Notice together with any other Notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This Notice replaces any previously issued Privacy Notice.

CONTROLLER

Hamilton Leigh Limited, including our trading name Surgery Protect, is the controller and is responsible for your personal data (collectively referred to as “we” “us” or “our” in this Notice).

CONTACT DETAILS

Our full details are:

Hamilton Leigh Limited (Company Number: 3833626)

Email address: info@hamiltonleigh.com

Postal address:

Unit 1, Capital Business Park
Manor Way
Borehamwood
Hertfordshire
WD6 1GW

Registered office address:

30 City Road
London
EC1Y 2AB

Telephone Number: 020 8236 5350

Website: www.hamiltonleigh.com
: www.surgeryprotect.com

You have the right to make a complaint at any time to the Information Commissioner’s Office (ICO) and the UK Supervisory Authority for data protection issues (www.ico.org.uk). We would however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

PERSONAL DATA

Personal data or personal information means any information about a living individual from which that person can be identified. Examples include an individual's name, age, address, date of birth, gender and contact details. It does not include data where the identity has been removed (anonymous data).

Personal data may contain information which is known as special categories of personal data. This may be information relating to an individual's health, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic and biometric data, or data relating to sexual orientation.

Personal data may also contain data relating to criminal convictions and offences.

For the purposes of safeguarding and processing criminal conviction and offence data responsibly, this data is treated in the same manner as special categories of personal data, where we are legally required to comply with specific data processing requirements.

PERSONAL DATA WE COLLECT

In order for us to arrange and administer insurance for you we will collect and process personal data about you. We will also collect your personal data where you request information about our services, events, promotions and campaigns.

We may also need to collect personal data relating to others in order to arrange and administer insurance. In most circumstances, you will provide us with this information. Where you disclose the personal data of others, you must ensure you are entitled to do so.

As a provider of insurance services, we may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes your login data, internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our websites.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Offence Data** includes previous criminal convictions and offences.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

HOW YOUR PERSONAL DATA IS COLLECTED

We use different methods to collect data about you which includes:

Direct interactions - You may provide us with Identity, Contact, Financial and Transactional data when completing contact forms, when you contact us via the telephone, when writing to us directly or where we provide you with paper based forms for completion or we complete a form in conjunction with you.

Automated technologies or interactions - We may record your communications with us when contacting our broking team, claims department, complaints officer or other customer focused functions. We may also collect Identity, Contact and Transactional data through the use of telematics or similar locational tracking services (cookies), where you have agreed to the use of this particular service.

Third parties or publicly available sources - We may receive data about you from various third parties as set out below:

- Third Party Insurance Intermediaries
- Direct Introductions
- Telemarketing
- Insurers

HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- To register you as a new client
- Where we need to, to quote for, arrange and administer the contract you are about to enter into or have entered into with the insurer
- To provide you with insurance services
- To process claims and renewals
- To manage our business and conduct market research to meet the legitimate needs of our business
- To manage our relationship with you which will include notifying you of changes to our terms of business or privacy policy
- To send marketing information if we have received your specific consent
- To make suggestions and recommendations about products and services that may be of interest to you
- To respond to any requests made by you
- To manage your account and perform statistical analysis on the data we collect
- Where we need to comply with a legal or regulatory obligation

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

WHY WE NEED YOUR PERSONAL DATA

We have set out below a description of all the ways we plan to use your personal data, and which of the legal basis we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific lawful ground we are relying on to process your personal data where more than one ground has been set out below.

LAWFUL BASIS

Performance of a Contract - To fulfil our contract with both our customers and employees: We need to use personal data as is necessary to provide our customers with the service and products we have agreed to provide in line with our overall service agreement as well as employment contracts.

Legitimate Interest - We have a legitimate interest in doing so: Taking into account customer interests, we process data to analyse customer behaviour in order to improve our services, offerings and pricing; to track commission or remuneration that may be due to us; to provide for business continuity in the event of interruption or cessation; to provide you with information about our products and services; and to the extent required for the administration of your insurance, to ensure we have appropriate records.

Comply with a legal or regulatory obligation - We are required to do so by law or regulation: We are required by the *FCA (or any other regulatory or legislative body)* to process and store some data in order to fulfil our legal or regulatory obligations. This may include the information we need to establish your demands and needs to provide you with a personalised recommendation or advice. We may capture and share personal data with organisations who can confirm our customers/employees' identity and provide information necessary to prevent fraud or other crimes. We may also be required to share personal data where requested to by legal authorities or the Financial Ombudsman.

Necessary for a substantial public interest - There is a substantial public interest in doing so: Advising, arranging, underwriting or administering an insurance contract or claims involves the processing of personal data, including 'special category' information about health or criminal convictions. Under UK data protection law such processing is regarded as having a substantial public interest in the efficient functioning of insurance markets.

In purchasing products and services through Hamilton Leigh Ltd, you should understand that you are forming a contractual relationship with us. If you contact us for a quote or request details of the services we provide, we consider ourselves as having a legitimate business interest to provide you with further information about our services.

DISCLOSURES OF YOUR PERSONAL DATA

We will share your personal data within our business, including selected affiliates and business partners. This is normal practice within the insurance industry where it is necessary to share information in order to place, quantify and underwrite insurance risks, to assess overall risk exposure and to process claims. It is also necessary to determine the premium payable and to administer our business.

We also share personal data with authorised third parties. This is necessary where we are required to do so by law, where we need to administer our business, to quote for, source, place and administer your insurances including arranging insurance premium finance, performing underwriting activities and processing claims.

Some examples of authorised third parties are:

- Insurers
- Underwriters, Markets or Managing General Agents (MGA)
- Premium finance providers
- Credit reference agencies
- Debt recovery agencies
- Claims handling companies
- Loss adjusters
- Insurance brokers
- HM Treasury Sanctions List
- Reinsurers
- Regulators

If you object to the collection, sharing and use of your personal data we may be unable to provide you with our products and services.

For the purposes of meeting the Data Protection Act 2018 territorial scope requirements, the United Kingdom is identified as the named territory where the processing of personal data takes place.

If you require more information about our insurance processes or further details on how we collect personal data and with whom we share data, please contact us.

MARKETING

Where we use personal data for marketing purposes, we will document:

- The purpose of the marketing activity
- The legal basis we use to process the personal data
- Where we receive the data from third parties and if so confirmation from the third party that a legal basis for sharing the data exists and what that is
- Where we collect personal data directly from individuals, how the data was captured and how its intended use was communicated to those individuals to whom that information relates

PROMOTIONAL OFFERS FROM US

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive communications from us about your insurance and information on relevant products and services available, if you have requested information from us or services from us, but you will only receive marketing communications if you have opted to do so.

THIRD-PARTY MARKETING

We will get your express opt-in consent before we share your personal data with any other company for marketing purposes.

OPTING OUT

You can ask us or third parties to stop sending you marketing messages by contacting us at any time. Where you opt out of receiving these marketing messages, this marketing opt-out will not automatically apply to information messages relating to product/service purchases, product/service experience or other transactions unless you request it to do so.

INTERNATIONAL TRANSFERS OF PERSONAL DATA

At this time, we do not transfer data or undertake processing activities outside of the UK. We will notify you if this changes.

DATA RETENTION

HOW LONG WE WILL USE YOUR DATA

Depending on how the data is collected e.g. directly on enquiry or when we quote for business, we have determined a 'reasonable' amount of time to retain and continue to use the data. The records of our data processing activities set out the data retention periods we have set for different types of data.

Where we process special categories and criminal conviction data, for the performance of the contract and under the condition of substantial public interest we will ensure that the appropriate additional safeguards are in place to protect the data. These will include added security measures and restriction in access to the data. We will also ensure that we will only process the data for as long as is necessary for the purposes we have collected it and will endeavour to erase the data securely at the earliest opportunity, whilst also ensuring that we continue to meet our obligations as a data controller.

Please contact us if you object to the use of, or you have any questions relating to the use of your data or the retention of your personal data.

YOUR LEGAL RIGHTS

Individuals are provided with legal rights governing the use of their personal data. These grant individuals the right to understand what personal data relating to them is held, for what purpose, how it is collected and used, with whom it is shared, where it is located, to object to its processing, to have the data corrected if inaccurate, to take copies of the data and to place restrictions on its processing. Individuals can also request the deletion of their personal data.

These rights are known as Individual Rights under the Data Protection Act 2018. The following list details these rights:

Right to be informed - You have a right to be informed when data is collected from you directly and indirectly, the nature of the relationship with the party holding your data, how it was collected and reasons for your data being used.

Right of access ('data subject access request') - You have the right to request details on what information is being held about you, for what purpose, how the data is used, how long the data is retained for, who it is shared with and whether the data is transferred abroad.

Right to rectification - You have the right to request that any data held about you is rectified if inaccurate or incomplete.

Right to erasure ('right to be forgotten') - You have the right to request that any data held on you is deleted however this does not necessarily mean that the data needs to be deleted. In processing such requests, we will consider our lawful basis for retaining such data and the consequences on the services we provide of deleting such data, if any.

Right to restrict processing - You have the right to request that data processing is restricted if the data is no longer required for its original purpose, the data collected is excessive for its purpose, the processing is unlawful or the data is inaccurate.

Right to data portability - You have the right to request that any personal data relating to you is provided to you in a machine-readable format. Organisations are under no obligation to import any that has been provided to you in this way.

Right to object - You have the right to object to the processing of personal data relating to you, particularly where the personal data is being used for profiling and/or marketing purposes. Where valid and no lawful basis exists for continuing to process the data, we are required to prevent further processing of the data.

Right to be informed about automated individual decision-making, including profiling - You have the right to be informed of activities where automated decision making or profiling is performed on your data. At this time, we do not undertake automated decision-making. We will notify you if this changes.

Individuals can exercise these Individual Rights at any time. As mandated by law we will not charge a fee to process these requests, however, if your request is considered to be repetitive, wholly unfounded and/or excessive, we are entitled to charge a reasonable administration fee.

In exercising your Individual Rights, you should understand that in some situations we may be unable to fully meet your request, for example if you make a request for us to delete all your personal data, we may be required to retain some data for taxation, prevention of crime and for regulatory and other statutory purposes.

You should understand that when exercising your rights, a substantial public or vital interest may take precedence over any request you make. In addition, where these interests apply, we are required by law to grant access to this data for law enforcement, legal and/or health related matters.

The flow of data within the insurance sector is complex and we ask you to keep this in mind when exercising your 'rights of access' to your information. Where we may be reliant on other organisations to help satisfy your request this may impact on timescales.

For further information or if you wish to exercise your Individual Rights, please contact us.

PROTECTING YOUR DATA

We will take all appropriate technical and organisational steps to protect the confidentiality, integrity, availability and authenticity of your data, including when sharing your data within our business and with other authorised third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.