

# Total Loss Asset Protection [TLAP] Privacy Notice

Your privacy is very important to us. We promise to respect and protect your personal information and try to make sure that your details are accurate and kept up to date. This Privacy Notice sets out details of the information that we may collect about you and how we may use that information. Please take your time to read this Privacy Notice carefully. By taking out this policy, you confirm that we may use your personal information in the ways outlined in this notice. When using our website, this Privacy Notice should be read alongside the website terms and conditions.

## 1. About Aioi Nissay Dowa Insurance UK Limited ►

In this Privacy Notice references to "we" or "us" refer to refers to Aioi Nissay Dowa Insurance UK Limited and any holding or subsidiary companies (including but not limited to Toyota Insurance Management SE). If you would like to know more about the Aioi Nissay Dowa Europe group please [click here](#).

We will share data within the group, but this is limited to our group companies within the European Economic Area (EEA), except in exceptional circumstances where we may need to discuss a policy or claim with our parent companies.

When you apply for TLAP, your data will be collected and used by InsureThat Limited who arrange and administer your policy on our behalf.

In order to provide our services, we will collect and use data about individuals. This means that we are a 'data controller' and we are responsible for complying with data protection laws. We have appointed a data protection officer to oversee our handling of personal information. If you would like more information about how we collect, store or use your personal information, please see section 9 "Contact us".

## 2. What do we mean by personal information? ►

"Personal information" means information that relates to you as an individual, whether linked to your name or any other way which you could be identified, such as your driving licence number or your insurance policy number.

Certain types of personal information are considered to be "special categories of information" due to their more sensitive nature.

**Special categories of information:** Information about your health, criminal convictions, genetic or biometric data, sex life, sexual orientation, racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership.

## 3. Our processing of your personal information ►

The personal information that we collect can vary. For example, we may collect more detailed information about you if you make a claim.

**If you provide personal information to us about other people you must provide them with a copy of this Privacy Notice, and obtain relevant consent from them where we have indicated in this Privacy Notice that we need it.**

### 3.1 If you are a policyholder

*(This section shows what personal information we collect about you and use if you are a policyholder)*

#### What personal information will we collect and where will we collect it from?

We may obtain information about you during the lifetime of your policy, and if you claim against your insurance. This information includes:

- **Individual details:** Your name, address, contact details (e.g. email / telephone), gender, marital status, date of birth, nationality
- **Employment information:** Your job title and the nature of the industry you work in
- **Identification details:** Your driving licence number
- **Previous and current claims:** Any previous insurance policies you have held and claims made against those policies
- **Financial information:** Bank and payment information. All of this information will be obtained from you.
- **Additional identification details:** This may include items to verify your identity, residency, marital status, address, driving licence details and details of your car. All of this information will be obtained from you.
- **Claims information:** In relation to any incident involving the insured car. All of this information will be obtained from you.
- **Other information:** that we capture during recordings of our telephone calls, or if you make a complaint. This may include **special categories of information** you volunteer when communicating with us. We will only process such information to the extent necessary in connection with the policy or claim, or where in connection with legal proceedings. Any further processing will only be with your explicit consent.

We use external sources to supplement and verify information the information above, and also to provide the following new information:

- **Anti-fraud data:** Sanctions and criminal offences, and information received from various anti-fraud databases. Some of this information (e.g. criminal offences) may include **special categories of information** relating to you.
- **Open source data:** Unstructured data which is in the public domain, including social media, about you, or the circumstances of any accident.

We will collect the following personal information from you, where using our sites:

- **Website usage:** See section 3.2 for details

The external sources that provide us with information about you may include:

- Other MS&AD Insurance Group companies.
- Third party suppliers we appoint to help us to carry out our everyday business activities including IT suppliers, actuaries, auditors, lawyers, debt collection agencies, document management providers, outsourced business process management providers, our subcontractors and tax advisors.
- Credit reference agencies
- Financial crime detection agencies and insurance industry databases (such as for fraud prevention and checking against international sanctions) including the Claims Underwriting Exchange (known as "CUE"), TraceIQ, SIRA and MIAFTR.
- Insurance industry bodies and databases.
- Government agencies and bodies such as the DVLA, HMRC, Department for Work & Pensions, or regulators (e.g. Financial Conduct Authority).

- Publicly available sources (e.g. the electoral roll, court judgments, insolvency registers, internet search engines, news articles, social media)
- The police, HMRC and other crime prevention and detection agencies.

**What will we use your personal information for?**

We may process your personal information for a number of purposes. For each purpose, we will rely on one or more of the following legal grounds:

- We need your personal information because it is necessary to enter into or perform a contract (e.g. the insurance contract)
- We have a legitimate interest to use your personal information (e.g. business records, carry out strategic business analysis, review our business planning and develop and improve our products and services). When using your personal information in this way, we will always consider your rights and interests.
- We have a legal or regulatory obligation to use your personal information (e.g. to meet record-keeping requirements of our regulators).

For **special categories of information**, we must have an additional legal ground for processing. We will rely on the following:

- It is in the substantial public interest and it is necessary: i) for an insurance purpose (e.g. managing claims); or ii) to prevent and detect an unlawful act (e.g. fraud)
- To establish, exercise or defend legal rights (e.g. legal proceedings are being brought against us or we want to bring a legal claim ourselves)

Type of Processing	Grounds for using personal information	Grounds for special categories
To verify your identity, carry out fraud, credit and anti-money laundering checks	<ul style="list-style-type: none"> <li>• To enter into or perform a contract</li> </ul>	<ul style="list-style-type: none"> <li>• It is necessary for an insurance purpose</li> <li>• It is in the substantial public interest to prevent or detect unlawful acts (where we suspect fraud)</li> <li>• To establish, exercise or defend legal rights</li> </ul>
To set up your insurance policy	<ul style="list-style-type: none"> <li>• To enter into or perform a contract</li> </ul>	<ul style="list-style-type: none"> <li>• It is necessary for an insurance purpose</li> </ul>
To manage and service and answer queries about your insurance policy	<ul style="list-style-type: none"> <li>• To enter into or perform a contract</li> </ul>	<ul style="list-style-type: none"> <li>• It is necessary for an insurance purpose</li> </ul>
To manage any claims you make under your insurance policy (including via the Online Portal)	<ul style="list-style-type: none"> <li>• To enter into or perform a contract</li> </ul>	<ul style="list-style-type: none"> <li>• It is necessary for an insurance purpose</li> <li>• To establish, exercise or defend legal rights</li> </ul>
To prevent and investigate fraud on an ongoing basis	<ul style="list-style-type: none"> <li>• To enter into or perform a contract</li> </ul>	<ul style="list-style-type: none"> <li>• It is in the substantial public interest to prevent or detect unlawful acts (where we suspect fraud)</li> <li>• To establish, exercise or defend legal rights</li> </ul>
To comply with our legal or regulatory obligations	<ul style="list-style-type: none"> <li>• We have a legal or regulatory obligation</li> </ul>	<ul style="list-style-type: none"> <li>• It is necessary for an insurance purpose</li> <li>• To establish, exercise or defend legal rights</li> </ul>
To ensure that we consider any customers who may be in a vulnerable circumstance	<ul style="list-style-type: none"> <li>• We have a legitimate interest (<i>to ensure a consistent service to all of our customers and that all customers are treated equally</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• It is necessary for an insurance purpose</li> </ul>
To communicate with you and resolve any complaints that you might have	<ul style="list-style-type: none"> <li>• To enter into or perform a contract</li> <li>• We have a legitimate interest (<i>to send you communications, record and handle complaints</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• It is necessary for an insurance purpose</li> <li>• To establish, exercise or defend legal rights</li> </ul>
To provide improved quality, training and security (e.g. through recorded or monitored phone calls to / from us, or customer satisfaction surveys)	<ul style="list-style-type: none"> <li>• We have a legitimate interest (<i>to develop and improve our products and service</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• We will not process your special categories of information for this purpose</li> </ul>
For debt collection purposes	<ul style="list-style-type: none"> <li>• To enter into or perform a contract</li> </ul>	<ul style="list-style-type: none"> <li>• We will not process your special categories of information for this purpose</li> </ul>
Managing our business operations (e.g. keeping accounting records, analysing financial results, meeting audit requirements, receiving professional advice, and holding our own insurance)	<ul style="list-style-type: none"> <li>• We have a legitimate interest (<i>to carry out business operations and activities that are necessary for the everyday running of a business</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• We will not process your special categories of information for this purpose</li> </ul>
For insurance administration purposes including trend analysis, actuarial work, pricing analysis, analysis of customer experience, planning service delivery, risk assessment and costs and charges	<ul style="list-style-type: none"> <li>• We have a legitimate interest (<i>to develop and improve our products and services</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• We will not process your special categories of information for this purpose</li> </ul>
Monitoring usage of our websites	<ul style="list-style-type: none"> <li>• We have a genuine business need (<i>to assess usage of our website</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• We will not process your special categories of information for this purpose</li> </ul>
To send you marketing materials about our products and services (where we have your permission to do so)	<ul style="list-style-type: none"> <li>• We have a genuine business need (to market our products)</li> </ul>	<ul style="list-style-type: none"> <li>• We will not process special categories of information for this purpose.</li> </ul>

### **Who will we share your personal information with?**

On occasion, we will share personal information within the MS&AD Insurance Group or with the following third parties for the purposes laid out in the table above:

- Anyone authorised to act on your behalf.
- InsureThat who manage the policy administration, claims and complaints on our behalf.
- Third party suppliers we appoint to help us to carry out our everyday business activities including outsourced business process management providers, claims, our subcontractors, IT suppliers, actuaries, auditors, lawyers, debt collection agencies, document management providers, and tax advisors.
- Our premium finance provider (for instalment customers).
- Credit reference agencies/debt collection agencies.
- Providers of demographic data and vehicle data.
- Financial crime detection agencies and insurance industry financial crime databases (such as for fraud prevention and checking against international sanctions) including the Claims and Underwriting Exchange (known as "CUE"), TraceIQ, SIRA and MIAFTR.
- Insurance industry bodies and databases.
- Government agencies and bodies such as the DVLA, HMRC, Department for Work & Pensions, or professional regulators (e.g. the Financial Conduct Authority in the UK)
- The police and other crime prevention and detection agencies. We and fraud prevention agencies may enable law enforcement agencies to access and use your personal data to detect, investigate and prevent crime.
- Selected third parties in connection with any sale, transfer or disposal of our business.

**If you would like more information about any of the above uses of your personal information, please see section 9 "Contact us".**

## **3.2 Users of our website**

*(This section will detail what personal information we collect about you and use if you access and use any of our websites.)*

### **What personal information will we collect and where will we collect it from?**

We will share some website experience data with trusted third parties to help us improve the service we provide to you. This data will never be special category data. If possible this data will be irreversibly anonymised and therefore no longer attributable to you. Where data cannot be anonymised it will include personal data shared by most web browsers such as (but not limited to) your IP address, location, operating system, web pages visited

### **What will we use your personal information for?**

We may process your personal information for a number of different purposes. We must have a legal ground for each purpose, and we will rely on the following ground:

- We have a genuine business need to use your personal information such as maintaining our business records, monitoring usage of our website and marketing our services and improving our business model and services. When using your personal information in this way, we have considered your rights and ensured that our business need does not cause you harm.

We've shown how we use your personal information, and the legal grounds we rely on, in the table below:

Type of Processing	Grounds for using personal information	Grounds for special categories
<b>Communicating with you and responding to any enquiries you have</b>	<ul style="list-style-type: none"><li>• We have a genuine business need <i>(to respond to any enquiries)</i></li></ul>	<ul style="list-style-type: none"><li>• We will not process your special categories of information for this purpose.</li></ul>
<b>Monitoring usage of our website</b>	<ul style="list-style-type: none"><li>• We have a genuine business need <i>(to assess to assess usage of our websites)</i></li></ul>	<ul style="list-style-type: none"><li>• We will not process your special categories of information for this purpose.</li></ul>

**If you would like more information about any of the above uses of your personal information, please see section 9 "Contact us".**

## **4. What is our approach to sending your personal information abroad? ►**

Sometimes we (or third parties acting on our behalf) will transfer personal information that we collect about you to countries outside of the European Economic Area ("EEA"). We or our service providers may use cloud based computer systems (i.e. network of remote servers hosted on the internet which process and store your information) to which foreign law enforcement agencies may have the power to require access. Our contracts with these firms will detail the necessary requirements to ensure your information is protected. We will assess these firm's security arrangements from time to time ensuring that they are only using your information as agreed. Should you wish to obtain further information about the safeguards we have in place, please contact the Data Protection Officer.

Where a transfer occurs we will take steps to ensure that your personal information is protected. We will use a set of contract wording known as the "standard contractual clauses" which has been approved by the data protection authorities

**If you would like more information regarding our data transfers, please see section 9 "Contact us".**

## **5. Marketing ►**

We take privacy very seriously and will only use your personal information for the purposes laid out in this Privacy Policy. Unless you have opted out, we will contact you about marketing – for example, to offer other services or to ask if you want to take part in a competition we might run.

You are free to object to receiving any marketing material and can edit your marketing preferences at any time. To opt out of marketing communications please email [DPO@aioinissaydowa.eu](mailto:DPO@aioinissaydowa.eu) or click "unsubscribe" on any marketing message we send you.

Please be aware that we have a genuine business need to be able to contact you to discuss how your policy is being administered. This form of contact falls outside of your marketing preferences and must continue in order for us to be able to provide you with a policy effectively. This will never include marketing material and all information will be strictly related to your policy

## 6. How long do we keep your personal information for? ►

We will keep your personal information for as long as reasonably necessary to fulfil the purposes set out in section 3 above and to comply with our legal and regulatory obligations. For example:

- To respond to any questions or complaints.
- To show that we treated you fairly.
- To maintain records according to rules that apply to us.

We have a detailed retention policy in place which governs how long we will hold different types of information for. The exact time period will depend on the purpose for which we collect that information, for example:

- Policies: 7 years
- Claims: 7 years
- Complaints: 7 years

Please note that Fraud prevention agencies can hold your personal data for different periods of time, and if you are considered to pose a fraud or money laundering risk, your data can be held for up to 6 years.

**For more information about how long your personal information will be kept, please see section 9 "Contact us".**

## 7. Your rights ►

Under data protection law you have a number of rights in relation to the personal information that we hold about you. You can exercise these rights by contacting us. We will not usually charge you in relation to a request.

<b>The right to access your personal information ►</b>	You are entitled to a copy of the personal information we hold about you and certain details of how we use it. We will usually provide your personal information to you in writing unless you request otherwise. Where your request has been made electronically (e.g. by email), a copy of your personal information will be provided to you by electronic means where possible.
<b>The right to rectification ►</b>	We take reasonable steps to ensure that the information we hold about you is accurate and where necessary up to date and complete. If you believe that there are any inaccuracies, discrepancies or gaps in the information we hold about you, you can contact us and ask us to update or amend it.
<b>The right to erasure ►</b>	This is sometimes known as the 'right to be forgotten'. It entitles you, in certain circumstances, to request deletion of your personal information. For example, where we no longer need your personal information for the original purpose we collected it for or where you have exercised your right to withdrawn consent. Whilst we will assess every request, there are other factors that will need to be taken into consideration. For example we may be unable to erase your information as you have requested because we have a regulatory obligation to keep it.
<b>The right to restriction of processing ►</b>	In certain circumstances, you are entitled to ask us to stop using your personal information, for example where you think that the personal information we hold about you may be inaccurate or where you think that we no longer need to use your personal information.
<b>The right to data portability ►</b>	In certain circumstances, you can request that we transfer personal information that you have provided to us to a third party.
<b>The right to object to processing ►</b>	In addition to the right to object to marketing, in certain circumstances you will also have the right to object to us processing your personal information. This will be when we are relying on there being a genuine business need to process your personal information. Please note, in some circumstances we will not be able to cease processing your information, but we will let you know if this is the case.
<b>The right to object to marketing ►</b>	You have control over the extent to which we market to you and you have the right to request that we stop sending you marketing messages at any time. You can do this either by clicking on the "unsubscribe" button in any email that we send to you or by contacting us using the details set out in section 9. Please note that even if you exercise this right because you do not want to receive marketing messages, we may still send you service related communications where necessary
<b>The right to withdraw consent ►</b>	Where we rely on your consent in order to process your personal information, you have the right to withdraw such consent to further use of your personal information. Please note that for some purposes, we need your consent in order to provide your policy. If you withdraw your consent, we may need to cancel your policy or we may be unable to pay your claim. We will advise you of this at the point you seek to withdraw your consent.
<b>The right to lodge a complaint with the ICO ►</b>	You have a right to complain to the Information Commissioner's Office if you believe that any use of your personal information by us is in breach of applicable data protection laws and / or regulations. More information can be found on the Information Commissioner's Office website: <a href="http://www.ico.org.uk">www.ico.org.uk</a> . This will not affect any other legal rights or remedies that you have.

Please note that although we take your rights seriously, there may be some circumstances where we cannot comply with your request such as where complying with it would mean that we couldn't comply with our own legal or regulatory requirements. In these instances we will let you know why we cannot comply with your request.

In some circumstances, complying with your request may result in your insurance policy being cancelled or your claim being discontinued. For example, if you request erasure of your personal information, we would not have the information required to pay your claim. We will inform you of this at the time you make a request.

## 8. How we protect your information ►

The protection of your personal data is important to us. We take a number of technical and procedural measures to protect personal data. For example:

- Where we capture your personal information through our website, we will do this over a secure link using recognised industry standard technology (SSL) which encrypts data that is transmitted over the internet. Most browsers will indicate this by displaying a padlock symbol on the screen
- We prevent unauthorised electronic access to servers by use of suitable firewalls and network security measures. We use strong internal antivirus and malware monitoring tools and conduct regular vulnerability scans to protect our internal infrastructure and also to protect communications we may send you electronically. Our servers are located in secure datacentres that are operated to recognised industry standard. Only authorised people are allowed entry and this is only in certain situations
- We ensure that only authorised persons within our business have access to your data and conduct regular checks to validate that only the correct people have access. We promote responsible access to data and segregate who can see what data within the organisation
- Internally in our organisation, we have password policies in place which ensure passwords are strong and complex and are changed regularly
- We use secure email exchange where necessary for sensitive data and have monitoring on all email we send and receive
- We schedule periodic checks of all security measures to ensure they continue to be efficient and effective, taking into account technological developments.

## 9. Contact us ►

You may contact our Data Protection Officer if you would like to exercise the rights set out above, or if you have any questions about how we collect, store or use your personal information:

 The Data Protection Officer, 7th Floor, 52-56 Leadenhall Street, London EC3A 2BJ

 [DPO@aioinissaydowa.eu](mailto:DPO@aioinissaydowa.eu)

## 10. Updates to this Privacy Notice ►

We may need to make changes to this Privacy Notice periodically, for example, as the result of government regulation, new technologies, or other developments in data protection laws or privacy generally or where we identify new sources and uses of personal information (provided such use is compatible with the purposes for which the personal information was originally collected). The Data Protection Officer will ensure that this document is updated regularly or as legislation requires.

This Privacy Notice was last updated on 01<sup>st</sup> November 2020 and comes into effect on 16<sup>th</sup> November 2020.