

BERKSHIRE HATHAWAY EUROPEAN INSURANCE DAC

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 D02 KW81 Dublin, Ireland, including its registered branches within the European Economic Area (EEA), and the United Kingdom (UK) (“BHEI” or “the Company”), in accordance with applicable data protection laws 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. BHEI is the Data Controller as defined by the data protection laws and our data protection officer can be contacted at DPO@BHEI.eu for any questions.

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 data protection laws. 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://www.bhei.eu/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

Types of Personal Data	Details
Telephone records:	Recordings of telephone calls to our representatives and call centres.
Photographs and video recordings:	Images or video recordings created in connection with our insurance or other business activities, including for claims assessment, administration, and settlement, claim disputes, or for other relevant purposes as permitted by law.
Special categories of personal data:	Certain special categories of personal data, which have additional protection under data protection laws, may be collected by BHEI only the individual's consent. These include health data, criminal convictions, racial or ethnic origin, and genetic or biometric data.

You do not have to provide us with any personal information, however, should **you** be unable to provide us with the required personal data, **we** will be unable to provide **you** with a quote, insurance or process a claim that **you** make.

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; or
- in the event of a claim, third parties including the other party to the claim (claimant / defendant), witnesses, experts (including medical experts), loss adjusters, solicitors, and claims handlers

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

5. 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 we need to establish, exercise or defend legal claims,**
- **When we have a legitimate interest to do so.**

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"> ▪ Contractual performance ▪ Compliance with a legal obligation
Policy Administration		
<ul style="list-style-type: none"> ▪ Client care and including communication with you and sending updates ▪ Payments to and from individuals 	<ul style="list-style-type: none"> ▪ Individual details ▪ Policy information ▪ Risk details ▪ Previous & current claims 	<ul style="list-style-type: none"> ▪ Contractual performance

Purpose	Categories of Data	Our Reasons/Legal Bases
Claims Processing		
<ul style="list-style-type: none"> Managing insurance and reinsurance claims Defending or prosecuting legal claims Investigating or prosecuting fraud 	<ul style="list-style-type: none"> Individual details Policy information Risk details Previous & current claims Health data Criminal records data Other special categories of data 	<ul style="list-style-type: none"> Contractual performance Legal obligation
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 Payment of premium where the insured /policyholder is an individual 	<ul style="list-style-type: none"> Individual details Policy information Risk details Previous & current claims Financial Information 	<ul style="list-style-type: none"> Contractual performance Legal obligation
Throughout the insurance lifecycle		
<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 Previous & current claims Financial Information Risk details 	<ul style="list-style-type: none"> Contractual performance Legal Obligation
Maintain quality of processes & security		
<ul style="list-style-type: none"> Improve quality of our products & services Provide staff training Maintain information security Manage business operations Manage IT infrastructure 	<ul style="list-style-type: none"> Individual details Policy information Identification details Previous & current claims Risk details 	<ul style="list-style-type: none"> Contractual performance Legal Obligation Legitimate interest
Business Partners		
<ul style="list-style-type: none"> Manage relationships Administer contracts Marketing Events 	<ul style="list-style-type: none"> Individual details 	<ul style="list-style-type: none"> Contractual performance Consent Legitimate interest

6. 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:

Type of third party	Details
Affiliate entities in the Berkshire Hathaway group	<ul style="list-style-type: none"> BHEI is part of the Berkshire Hathaway group of insurance companies. We may share your personal data with affiliated underwriting and services companies for administrative, reporting and accounting purposes including Berkshire Hathaway International Insurance Limited, Berkshire Hathaway Specialty Insurance Company, National Indemnity Company, Resolute Management Limited, Resolute Management Services Limited, The Medical Protective Company, MedPro Group Inc.
Other insurance and insurance distribution parties	<ul style="list-style-type: none"> Where permitted by applicable law, we may share personal data with other third parties, for example, other insurers, reinsurers, insurance and reinsurance brokers, other intermediaries, and agents, appointed representatives, distributors, affinity marketing partners and financial institutions, securities firms and other business partners.

Type of third party	Details
Our service providers	<ul style="list-style-type: none"> External service providers, such as commercial and credit information companies, claims management, loss adjusters, accountants, actuaries, auditors, experts, lawyers and other professional advisors or experts. Support teams and IT services providers and other third-party vendors and outsourced service providers that assist us in carrying out business activities.
Government authorities and public authorities or bodies	<ul style="list-style-type: none"> We may disclose personal data to government or other public authorities (including, but not limited to, workers' compensation boards, courts, regulatory bodies, law enforcement agencies, tax authorities and criminal investigations agencies), and to bodies which we have a legal obligation to disclose information.
Other third parties	<ul style="list-style-type: none"> If necessary for purpose respecting regulatory and legal framework.

7. 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 EEA and UK, including USA, where data privacy laws may not be the same as they are in the EEA and UK. Those transfers are undertaken with the required data protection law safeguards in place.

8. 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;
- Exercise the rights below under certain conditions:

Type of Right	Details
Right of access to personal data	<ul style="list-style-type: none"> You have the right to receive a copy of the personal data we hold about you and information about how we use it.
Right to rectification of personal data	<ul style="list-style-type: none"> You have the right to ask us to correct personal data we hold about you where it is incorrect or incomplete.
Right to data portability	<ul style="list-style-type: none"> This right allows you to obtain your personal data in a format which enables you to transfer that personal data to another organization. However, this right only applies in certain circumstances.
Right to erasure of personal data (or right to be forgotten)	<ul style="list-style-type: none"> Under certain circumstances, such as when you have revoked your previously given consent and there is no other legal basis available for us to process your personal data, you may request to have your personal data erased.
Right to restrict and object processing of personal data	<ul style="list-style-type: none"> You have the right to request that we suspend our use of your personal data. However, this right only applies in certain circumstances. Where we suspend our use of your personal data, we will still be permitted to store your personal data, but any other use of this information while our use is suspended will require your consent, subject to certain exemptions.
Rights relating to automated decision making and profiling	<ul style="list-style-type: none"> You have the right not to be subject to a decision which is based solely on automated processing (without human involvement) where that decision produces a legal effect or otherwise significantly affects you. However, this right only applies in certain circumstances.
Right to withdraw consent to processing of personal data	<ul style="list-style-type: none"> Where we have relied upon your consent to process your personal data, you have the right to withdraw that consent.

Type of Right	Details
Right to complain to the relevant data protection authority	<ul style="list-style-type: none"> You are welcome to contact us with any enquiries and complaints that you may have regarding the processing of your personal data. You also have the right to lodge complaints pertaining to the processing of your personal data to the local or European data protection authority.

If you have any questions in relation to **our** use of **your** personal data or would like further information about the safeguards we have in place for international transfers, **you** can contact the Data Protection Officer at BHEI by email using the following details: DPO@BHEI.eu

You also have the right to lodge a complaint with the Data Protection Authorities. Please see below for contact details:

- The national data protection authorities of the European Union: https://www.edpb.europa.eu/about-edpb/about-edpb/members_en#member-ie.
- The Information Commissioner's Office in the United Kingdom: <https://ico.org.uk/make-a-complaint/>.

9. PROFILING AND AUTOMATED DECISION MAKING

We provide services where we sometimes use automated decision-making. Automated decision-making is an important part of effective management. If the result of an automated decision affects you to a significant degree, you have the right in some cases not to be subjected to automated processing alone. This means that in some cases you have the right to demand manual treatment.

Type of automated decision-making	Description
When calculating price	<ul style="list-style-type: none"> 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.
In order to prevent and detect insurance fraud	<ul style="list-style-type: none"> Profiling may also be used by us to assess information you provide to protect against fraud. We use certain analytical methods for monitoring claims. Profiling may be used to identify potential fraud cases. In the profiling, personal data such as social security number, address, telephone number and network analyses may appear. It may also include data from third parties.

As a result, we carry out checks on certain claims. Cases are automatically selected but sent to review for manual processing by an investigator.

10. 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 complying with legal requirements.

11. COOKIES

BHEI uses cookies and similar tracking technologies solely to ensure a smooth and functional user experience. Cookies are small text files consisting of letters and numbers, sent from BHEI's web servers and stored on your device for a limited time. The cookies we use are essential for the website to function properly and to improve the services we provide. These cookies do not collect any personal data and are not used for marketing purposes. They are strictly necessary to enable core website features.