

SMART DRIVER INSURANCE LIMITED - PRIVACY POLICY

INTRODUCTION

Smart Driver Insurance Limited ("**we**", "**our**" and "**us**") is committed to protecting and respecting your privacy.

This privacy policy is designed to inform you about the data we collect, how we use it and what we do to protect your personal data. It is essential that you show this notice to anyone else who may be insured with us on your vehicle.

References in this policy to "**data protection law**" mean the General Data Protection Regulation (Regulation (EU) 2016/679) and all related data protection legislation and successor legislation having effect in Gibraltar from time to time.

OUR DETAILS

The legal entity that controls your personal data when you become a customer of Smart Driver Club Insurance is Smart Driver Insurance Limited, company incorporated in Gibraltar (company number No. 113530) whose registered office is at First Floor, Grand Ocean Plaza, Ocean Village, Gibraltar, GX11 1AA.

Our data protection officer is Samantha Billing, who can be contacted at sam@smartdriverclub.co.uk

DATA WE COLLECT AND HOW WE PROCESS IT

Data we collect when you apply for insurance with us

We collect personal data, special categories of personal data and telematics data when you communicate with us and you use our products and services.

The categories of personal data we collect include: name and address, date of birth and gender, telephone numbers and e-mail address, credit/debit card and other banking details, lifestyle and other information relevant to your insurance quotes and application.

The special categories of data we collect include: medical history, claims history and criminal convictions.

We may also collect your Driving Licence Number (DLN or "MyLicence") as part of your application for motor insurance (in some cases, we may not be able to insure you without this information) or when you make a claim. For details relating to information held about you by the Driver and Vehicle Licensing Agency ("DVLA") please visit www.dvla.gov.uk and www.myllicence.org.uk. To view your driving licence, visit www.gov.uk/view-driving-licence.

We use the information we collect when you apply for insurance with us to:

- assess your application for insurance;
- verify your identity when required;
- carry out credit checks when required (see further information on credit checks below);
- provide you with a policy of insurance and to carry out any steps necessary to administer the policy, including administering debt recoveries or processing claims (see further information on claims processing below).
- process auto-renewal of your policy; and
- notify Smart Driver Club of your needs in relation to your Smartplug™ device

Telematics information we collect

If you have a Telematics Unit (Smartplug™) and data from that Smartplug™ is shared with us, we will use the plug to capture; date, time, speed, location and other associated vehicle and driving related information from your vehicle. This information includes: date, time, latitude, longitude, speed, duration, distance, acceleration, braking, cornering and other associated vehicle information, including vehicle performance data.

Our Telematics systems normally collect information while your vehicle is being used, and transmit this to us and/or our suppliers some time later. Instances where the Telematics systems may send real-time data and alerts to us include where a collision or crash is detected, if the device's tamper alerts are activated, or if it is at your request, for example if your vehicle has been stolen and a Theft Tracking service has been activated or you request the last known location of your vehicle.

Telematics data will only be disclosed to other parties in the following circumstances:

- To the Telematic Service Providers noted above that we use to collect and transmit Telematics information.
- To our agents, partners and subcontractors for operational reasons, including providing the agreed services under the policy or as a member of the Smartdriverclub.
- To parties whom we are required by law to disclose data to, such as our regulators or if we are issued with a court order.
- To other parties with your permission, as outlined in the 'Confidentiality and Disclosure of your Data' section of this privacy statement.
- Your data may also be shared with the relevant insurance and claims databases, in

accordance with the Privacy Policy.

For further information on who your data may be shared with, refer to the section below headed "Who has access to your data?"

In certain cases we may collect the telematics data described above from third parties where you request that we do so.

We will use your personal, sensitive and telematics data for:

- Processing your quotes
- Assess financial and insurance risks and calculate your premium
- To compile a driver/vehicle profile and calculate if the policy is a good or bad.
- To decide if a driver profile fits within our policy termination criteria based on bad driving behaviours.
- Administering your policy, including claims handling
- Fraud prevention and detection
- Undertaking market research, product development and statistical purposes to develop and improve the services which we offer
- Telematics research and analysis, mapping purposes, researching and refining techniques for analysing Telematics data and the supply of traffic data. In all such circumstances the data will be used anonymously and will not identify any individual, vehicle user, or the policyholder.

Information collected in connection with credit reference checks

When you apply to us to open an account, we make a number of checks to assess your application for credit and verifying identities to prevent and detect crime and money laundering. To obtain this information, we will check the following records about you and anyone else who may also be insured and whose personal details have been provided as part of the insurance application.

- Our own records.
- Credit Reference Agency (CRA) records. When we search these records CRAs will place a search footprint on your credit file that may be seen by other lenders. They supply us with both public (including the electoral register), and shared credit and fraud prevention information
- Fraud Prevention Agency (FPA) Records

We make searches about you at credit reference agencies who will supply us with information, including the Electoral Register and credit information. The agencies will record details of the

search whether or not your application proceeds. The searches will not be seen or used by lenders to assess your ability to obtain credit. We may use scoring methods to assess this application and to verify your identity.

Credit searches and other information which is provided to us and/or the credit reference agencies, about you and those with whom you are linked financially, may be used by Smart Driver Club Insurance Limited and other companies if you, or other members of your household, apply for other facilities including insurance applications and claims. This information may also be used for debt tracing and the prevention of money laundering as well as the management of your account. Alternatively, we may ask you to provide physical forms of identification such as a copy of your passport or a household bill.

We may also make periodic searches at CRAs and FPAs to manage your account with us. Information on applications will be sent to and recorded by CRAs. When you borrow from us, we will give details of your account(s) and how you manage it/them to CRAs. If you borrow and do not repay in full and on time, CRAs will record the outstanding debt. This information may be supplied to other organisations by CRAs and FPAs to perform similar checks, and to trace your whereabouts and recover debts that you owe. Records remain on file for six years after they are closed, whether settled by you or defaulted.

If you give us false or inaccurate information and we suspect or identify fraud, we will record it and may also pass this information to FPAs and other organisations involved in the prevention of crime and fraud.

If you borrow from us and do not make payments that you owe us, we will trace your whereabouts and recover debts.

You can contact the Credit Reference Agencies currently operating in the UK; the information they hold may not be the same so it is worth contacting them all. They will charge you a small statutory fee.

- Call Credit: www.callcredit.co.uk.
- Equifax: www.equifax.co.uk.
- Experian: www.experian.co.uk.

Information collected when you call us

We may monitor or record calls, emails, SMS messages or other communications in accordance with UK law for:

- Business purposes such as quality control and training
- Prevention of unauthorised use of our telecommunication systems and websites
- Ensuring effective systems operation
- Prevention or detection of crime

Information collected when you make a claim

If necessary, we may also have to investigate your claims and conviction history in the course of administering the claim. You can be assured that we will keep such investigations strictly confidential.

In the case of motor insurance, insurers pass information to the Claims Underwriting and Exchange Register (CUE), run by Insurance Database Services (IDS) and the Motor Insurance Anti-Fraud and Theft Register, run by the Association of British Insurers (ABI). This helps insurers check information and prevent fraudulent claims. When we deal with your request for insurance we may search these registers. Under the conditions of your policy, you must tell us about any incident (such as an accident or theft) which may give rise to a claim. When you tell us about an incident we will pass information to the Registers.

Information relating to your insurance policy will be added to the Motor Insurance Database ("MID") managed by the Motor Insurers' Bureau ("MIB"). MID and the data stored on it may be used by certain statutory and/or authorised bodies including the Police, the DVLA, the DVANI, the Insurance Fraud Bureau and other bodies permitted by law for purposes not limited to but including:

- Electronic Licensing
- Continuous Insurance Enforcement; Law enforcement (prevention, detection, apprehension and or prosecution of offenders)
- The provision of government services and or other services aimed at reducing the level and incidence of uninsured driving

If you are involved in a road traffic accident (either in the UK, the EEA or certain other territories), insurers and or the MIB may search the MID to obtain relevant information.

Persons (including his or her appointed representatives) pursuing a claim in respect of a road traffic accident (including citizens of other countries) may also obtain relevant information which is held on the MID.

It is vital that the MID holds your correct registration number. If it is incorrectly shown on the MID, you are at risk of having your vehicle seized by the Police. You can check that your correct registration number details are shown on the MID at www.askmid.com.

Use of your information for direct marketing

If you have visited our site and have requested a quote, we may contact you, by telephone or other means, to discuss your quote and the cover options available to you. You have the option to ask us to not to contact you in this way.

If you are a previous or current customer of ours, or if you have opted-in to receive such communications, Smart Driver Insurance Limited may contact you from time to time by telephone, post, email, social media channels or SMS to keep you informed with news, our range of products or services. You may opt-out of receiving such communications at any time by contacting us using the contact details provided at the end of this privacy policy.

If you have opted in to receive such communications, we may pass your email address or other contact details to other carefully selected companies who may also contact you by post, email, SMS or telephone call about other products that we believe may be of interest to you including but not limited to insurance (e.g. other automotive, insurance, legal or financial products, or other carefully selected offers or promotions which we feel may be of interest to you).

If you would like to alter your marketing preferences for your Smart Driver Club Insurance policy you may do so by using the contact details at the end of this policy.

WHAT ARE THE LEGAL GROUNDS FOR PROCESSING YOUR INFORMATION?

Under data protection law we are only allowed to process your personal data if we have a legal ground to do so, and we must tell you what those legal grounds are. We are processing your data on the following grounds:

- In most cases, we process your personal information because the processing is necessary for the performance of a contract of insurance between you and us. This includes where you have instructed us to take some pre-contractual steps (such as sending you information about our products) prior to us formalising the contract.
- In some cases we also process your personal information because you have consented to the processing - for example, contacting you for direct marketing purposes, or sharing your details with third parties for direct marketing purposes.
- We have a legitimate interest in performing the processing and, in accordance with our obligations under data protection law, we have carefully weighed up your interests and fundamental rights and freedoms against our interest to process your information and we are satisfied that we are justified in processing your information for this purpose. We rely on this ground where, for example, we process personal data to promote our business activities under the soft-opt in, or where consent is not otherwise required, and your rights are protected because you can opt-out at any time.
- The processing is necessary for us to comply with our legal obligations, including in relation to keeping records in relation to our customers and keeping tax and accounting records.
- additionally, in the case of special category information, because you have consented to us processing your information for the purposes of checking your eligibility,

- suitability or signing you up to our products or services; and
- additionally, in the case of special categories of information where there is a dispute or potential for a dispute between us, because the processing is necessary for the establishment, exercise or defence of a legal claim.
- Additionally, in the case of criminal conviction data because it is necessary for an insurance purpose (as referred to in Part 3 of Schedule 1 of the Data Protection Act 2018).

DURATION OF PROCESSING

We only keep your information for so long as it is reasonably necessary. When setting our data retention periods, we consider the amount, nature, and sensitivity of the information we hold, the potential risk of harm from unauthorised use or disclosure of the information and the purposes for which we process the information (including whether we can achieve those purposes by other means). We also take into account our other legal obligations to keep or securely dispose of personal information.

- Generally speaking, we retain copies of insurance policies for at least six years after the date of expiry of the policy.
- If you have subscribed to our marketing lists, we will retain your details until you tell us that you no longer want to receive communications from us. However, if you have not read or responded to any of our emails for a long while, we may ask you to confirm if you want to continue hearing from us and if you do not respond, we may remove you from our mailing lists sooner.

WHO HAS ACCESS TO YOUR DATA

Except as explained in this Privacy Policy or in agreements with our customers, Smart Driver Insurance Limited and Smart Driver Club Limited will not sell, license or share information that individually identifies our customers or people using our services with others that are not performing work on behalf of Smart Driver Club Limited or Smart Driver Insurance Limited without the consent of the person whose information will be shared unless we are required or permitted to do so by law.

The following are our data processors for the insurance services, these are carefully selected partners who along with Smart Driver Insurance Limited will process your data to provide our services:

- Smart Driver Club Limited – Smart Driver Club Limited will process your personal data in order to administer your Smartplug and provide the Smartdriverclub services.
- Calamp – Calamp may process telematics data to provide the Smartdriverclub services
- Trakm8 – Trakm8 may process telematics data to provide the Smartdriverclub services

- Action 365 Limited – Action 365 may process your personal data to provide the Smartdriverclub services on our behalf
- Close Brothers Premium Finance – if you apply for finance to pay for your insurance premium
- SI Digital – provide technology services for us and as a part of this they may process your personal data to allow us to provide an insurance quotation for you and assist us with data intelligence services

Smart Driver Insurance has a panel of Underwriters. Details of which underwriter has underwritten your policy, either motor policy or additional product policies, can be found in your Policy Booklets. That Underwriter and their third parties will process your personal and telematics data for claims handling on behalf of Smart Driver Insurance Limited.

Where it is necessary to deliver the products and services bought by you. For example, we may disclose your personal data to a credit card company to validate your credit card details and obtain payment. It may also be necessary for us to pass your personal data to the organisation from whom you have ordered any products or services other than your Smart Driver Insurance Limited insurance product, such as a Breakdown insurance or a personal accident cover provider, etc. At all times, Smart Driver Insurance Limited will remain the data controller unless we inform you otherwise.

In the event that we undergo re-organisation or are sold to a third party, personal data we hold about you may be transferred to that re-organised entity or third party.

We may share your personal information with third parties if we are under a duty to disclose or share your personal data in order to comply with any legal obligation.

Our third party website hosting provider, and the support service providers we use to update maintain our website and IT systems may have access to your personal data if they are required to access our systems to troubleshoot problems or provide support. All third parties that we work with for IT purposes are subject to obligations of confidentiality.

In the unfortunate event that you have to make a claim then we will need to disclose data with any other party involved in that claim. This may include:

- Third parties involved with the claim, their insurer, solicitor or representative
- Medical teams, the police or other investigators.

If you make a complaint about the service we have provided, we may be obliged to forward details about your complaint, including your personal data, to the relevant ombudsman.

Please note that we make a number of checks to assess your application for credit and verifying identities to prevent and detect crime and money laundering, as well as data sharing

at any time for the purposes of fraud prevention, these checks may also include your DLN/MyLicence.

Fraud prevention and detection

In order to prevent and detect fraud we may, at any time share information about you with our other group companies.

If false or inaccurate information is provided and fraud is identified details will be passed to fraud prevention agencies. Law enforcement agencies may access and use this information.

We and other organisations may also access and use this information to prevent fraud and money laundering, for example, when:

- checking details on applications for credit and credit related or other facilities
- managing credit and credit related accounts or facilities
- recovering debt
- checking details on proposals and claims for all types of Insurance
- checking details of job applicants and employees

YOUR RIGHTS

Under data protection law you have the following rights:

- if we are processing your data on the basis of your consent then you have the right to withdraw that consent at any time. Consent can be withdrawn by notifying us using the contact details set out at the end of this policy. The lawfulness of our historic processing based on your consent will not be retrospectively affected by your withdrawal of consent;
- the right to access a copy of your information which we hold. This is called a 'subject access request'. Additional details on how to exercise this right are set out the next section below;
- the right to prevent us processing your information for direct marketing purposes. You can also exercise the right at any time by contacting us using the details set out at the end of this policy;
- the right to object to decisions being made about you by automated means. See further information below on automated decision making.
- the right to object to us processing your personal information in certain other situations;
- the right, in certain circumstances, to have your information rectified, blocked, erased or destroyed if it is inaccurate; and
- the right, in certain circumstances, to claim compensation for damages caused by us breaching data protection law.
- in certain circumstances, the right to request the information we hold on you in a machine readable format so that you can transfer it to other services.

You also have the general right to complain to us (in the first instance) and to the Information Commissioner's Office (if you are not satisfied by our response) if you have any concerns about how we hold and process your information. Our contact details are set out at the end of this policy.

The Information Commissioner's Office website is www.ico.org.uk. For further information on your rights under data protection law and how to exercise them, you can contact Citizens Advice Bureau (www.citizensadvice.org.uk) or the Information Commissioner's Office (www.ico.org.uk).

ACCESS TO INFORMATION

Under data protection law you can exercise your right of access by making a written request to receive copies of some of the information we hold on you. You must send us proof of your identity, or proof of authority if making the request on behalf of someone else, before we can supply the information to you. Please provide:

- Your name, address, policy/claim number and what information you would like.
- Two forms of identification such as a copy of a driving licence, passport, or document containing your signature, and a copy of a recent utility bill that confirms

Requests should be sent to us using the contact details at the end of this policy.

You will not have to pay a fee unless you are requesting copies of documents you already possess, in which case we may charge our reasonable administrative costs. We will also be allowed to charge you for our reasonable administrative costs in collating and providing you with details of the requested information which we hold about you if your request is clearly unfounded or excessive. In very limited circumstances, we are also entitled to refuse to comply with your request if it is particularly onerous.

AUTOMATED DECISION MAKING

We sometimes make automated decisions about you based on your information. These decisions can include whether or not you are eligible for one of our policies.

We may refuse policy applications where the applicant's risk profile is too high. This is necessary to ensure that we maintain a manageable level of risk across all our customers. In certain circumstances, the decision to reject your application is made automatically, based on telematics derived information about your driving behaviour. Where this is the case, you will be notified that your application has been rejected or you will not receive an offer in the first place. You can object to us making automated decisions about you at any time. The contact details for doing so are set out at the end of this Privacy Policy.

INFORMATION SECURITY

On our websites we protect any data you have given us by providing you with a User ID and password. We also use industry standard security to encrypt sensitive data in transit to our servers.



MANAGING, DISABLING AND ENABLING COOKIES

We collect data about you through the use of technology such as cookies and device fingerprinting.

You have the ability to accept or decline cookies from any website by modifying the settings in your browser. If you wish to restrict or block the cookies which are set by our website, you can do this through your browser settings. For information about how to manage and disable cookies you can use the 'Help' function within your browser or please visit www.aboutcookies.org or www.allaboutcookies.org. However, please note that by deleting or disabling cookies this could affect the functionality of our website and you may not be able to access certain areas or features of our site.

To opt out of being tracked by Google Analytics across all websites go to [click here](#).

CHANGES TO OUR PRIVACY POLICY

Any changes we may make to our privacy policy in the future will be posted on Viewpoint web portal and app and, where appropriate, notified to you. Please check back frequently to see any updates or changes to our privacy policy. This privacy policy was last updated in May 2018.

CONTACT DETAILS

If you wish to contact us about any of the matters referred to in this privacy policy please contact us by post at the following address: Data Protection Officer, Smart Driver Insurance Limited, Arena Business Centre, 25 Barnes Wallis Road, Fareham, PO15 5TT send an email to our Data Protection Officer at sam@smartdriverclub.co.uk If you wish to change your marketing preferences, please write to the Marketing Department, Smart Driver Club Insurance Limited, 25 Barnes Wallis Road, Fareham, PO15 5TT.

ANNEX

Your attention is drawn to the following additional information relevant to your relationship with us.

SMART DRIVER CLUB MEMBERSHIP

Smartdriverclub policies require you to be a member of Smart Driver Club. If you wish to opt out of the Smartdriverclub membership services and therefore cancel your Smartdriverclub membership, you must also cancel your Smartdriverclub Insurance policy.

DEALING WITH OTHER PEOPLE

All policies must have a Policy holder.

The policyholder within the term of the policy will remain our primary contact point for all matters relating to the policy and subsequent Smartdriverclub membership.

It is possible to nominate another party to have authorisation to deal with the policy on your behalf. This party will be entitled to make changes to and discuss your policy with us with the exception of cancelling a policy in line with (general condition 4 in your policy wording).

In addition, we will deal with any other person or organisation that provides evidence that they have authority to act on behalf of the Policyholder and passes our data protection procedure.

If you would like someone else to deal with your policy on your behalf on a regular basis, please let us know. Please Note: It is essential to notify us if you no longer wish for a third party to have authority on your policy. We cannot be held liable for changes made by an authorised person.

CLAIM PROCESS

To ensure an efficient and speedy claim process we will take instruction from you or any other person provided they are named on the policy or have been previously authorised by you. If you would like someone else to deal with your claim on your behalf, please let us know.

If you give us data about another person, in doing so you confirm that they have given you permission to provide it to us to be able to process their personal data (including any sensitive personal data) and also that you have told them who we are and what we will use their data for, as set out in this policy.

RENEWAL

In order to offer you continuous cover on your policy, Smart Driver Insurance Limited may arrange for your policy to be automatically renewed. You should be aware that we can only carry out an automatic renewal when:

- You have made us aware of any changes to your policy details
- The credit/debit card details have not changed
- The credit/debit card holder has given their explicit consent to his or her card being charged at renewal

Unless we hear to the contrary, we will assume at renewal that your details have not changed and you have the consent of the card holder.

If you wish to make changes to your policy then, unless you inform us otherwise, we will charge the payment details (card or bank account) held on record for any additional amount due.

You may inform us of any changes or opt out of automatic renewal at any time by contacting our Customer Service department. We will also contact you with a reminder that your insurance is due for renewal.

Where a policy is paid for by Direct Debit, we are required by law to automatically renew your policy unless you instruct us otherwise.