

Introduction

Your privacy's important to us and we go to great lengths to protect it. This privacy notice tells you about the personal data we hold about you, so we can provide you with a Quote and an insurance policy. It explains how we may collect, use and share your details and tells you about your rights under data protection laws.

1. Who we are

Hastings Insurance Services Ltd (trading as Hastings Direct Smartmiles), iGO4 Ltd and Advantage Insurance Company Ltd are the data controllers of your personal information, excluding driving data, under your Smartmiles motor insurance policy. Hastings Insurance Services Ltd (HISL) and Advantage Insurance Company Ltd (AICL) are the data controllers of your driving data. Arc Legal Assistance Ltd, Carpenters Solicitors and Inter Partner Assistance SA are the data controllers of your personal information under your Motor Legal Expenses policy. In this privacy policy, "we" refers to all of these companies unless stated otherwise.

In relation to your Smartmiles policy, Hastings Direct Smartmiles provides the policy, iGO4 acts as the intermediary arranging the policy and Advantage Insurance Company is the insurer of the policy. We have a single contact point for data privacy matters at dataprotection@igo4.com or by writing to us at Data Protection Officer, Smartmiles Insurance, iGO4 House, Staniland Way, Peterborough PE4 6JT.

For the purpose of this privacy notice:

- 'Data subjects' are Policyholders, premium finance customers and named drivers.
- 'Personal data' is information about an identified or identifiable natural person that could allow a living person to be identified

2. Information we collect from or about you

We'll collect and process information about you from a number of sources, including details:

- you give us
- we collect from your use of our services
- we get from other sources (both public and private).

If you choose not to give personal data:

Sometimes we have to collect your personal data by law or under the terms of a contract we have with you. If you don't give us the data we ask for, we might not be able to give you a Quote or perform the contract we have with you. If this happens, we may have to cancel one of your products or services. We'll tell you if this happens.

Information you give us:

- When you apply for our products and services
- When you make payments or give payment details for your premiums or premium finance
- About any incident (like an accident or theft), whether or not you're going to make a claim
- By phone, email or letter e.g. for queries or Quotes
- For surveys or to give feedback on our products and services.

Information we collect from your use of our services:

- Quotes through our website
- We may record inbound and outbound calls

- Website usage e.g. cookies and tags. See our cookie policy for more details at: <https://www.hastingsdirectsmartmiles.com/cookies>
- We may record the sending, bouncing, opening and use of any links contained directly in emails and whether you mark an email as junk, including the time and date.
- Driving data collected from a SmartMiles telematics device.

Information we get from other sources:

- Price comparison or other introductory services
- Credit reference agencies
- Claims underwriting exchanges and other registers and databases
- Fraud prevention agencies
- DVLA
- External partners working on our behalf
- Medical practitioners
- Market researchers
- Electoral roll
- Government and lawful enforcements agencies.

Information collected may include:

- Personal details such as your name (including former names), date of birth, contact details (e.g. your home address and former addresses, telephone numbers and email address), length of time you've been a UK resident, marital status and identifiers such as your driving licence number
- Sensitive personal data (special category data and criminal data), such as information about your health or criminal convictions
- Information about your insurance requirements, such as details of your car, details of family and social circumstances like your marital status or your use of the vehicle
- Driving data collected by the Smartmiles telematics device
- Policy details such as the dates you joined or left (including your reason for leaving, where relevant)
- Information about your other and past policies such as your claims history, Quotes history, payment history and claims data
- Bank account and/or payment card details to arrange payment of your premiums or premium finance
- Information about incidents and claims
- Employment details such as your job title
- Survey feedback and your responses including customer satisfaction surveys
- Email and IP addresses
- Location details
- Browsing information as part of you going through the Quote process to track and keep your Quote journey including incomplete Quotes
- In-bound and out-bound phone call recordings
- Copies of your identification and similar documents (e.g. driving licences)
- Information about how you access our website and app; including the website you visited before landing on our websites. We automatically receive the IP address of your computer, mobile device, or the proxy server that you use to access the Internet and this may include information to identify your browser or device to analyse web traffic
- Your marketing preferences.

3. Personal data about others

We may collect information about other people in your household or other named drivers. If you give us information about another person, it's your responsibility to make sure they:

- have been told about who we are and how their data will be used
- have given their permission for you to use their data (including any sensitive personal data).

4. How we use your information

So we can provide you with Quotes and policies, and to manage your policy, we must have a legal reason to use your personal data.

Legal basis for processing your Personal Data

We are allowed to use and share your information in the ways described in this Privacy Notice:

- So that we can provide you with a quotation at your request and can arrange, provide and administer your policy.
- Where we need to process sensitive information such as health and/or criminal conviction information for insurance purposes, we do so on the permitted basis that it is in the public interest to ensure that insurance is available at reasonable cost through risk-based pricing.
- So that we can comply with legal and regulatory obligations, such as legal obligations to share information with our Regulators and Ombudsmen, or carry out financial sanctions checks.
- Where our use of your information is necessary for our legitimate business interests, such as marketing of our products and services (unless you ask us not to), research and statistical analysis and conducting customer surveys.

Additional purposes of processing your data:

- **To make and manage customers payments**

We collect and share your payment details with financial institutions to allow us to carry out financial transactions on your policy.

If you've already agreed to a continuous payment authority, we'll use the card details you gave us to collect payments for mid-term changes, missed instalments (including any fees), balances following cancellation and the renewal of your policy. We'll tell you about this before we take a payment. You can cancel the continuous payment authority at any time by contacting us at contact@hastingsdirectsmartmiles.com.

If you choose to pay your premium by instalments, this will be via a finance arrangement with our premium finance supplier. We will share your personal, policy and payment details with the finance company to enable them to enter into the credit agreement with you, collect your instalments and administer their service. The finance company will become data controller in respect of the information they process in providing this service.

We may pass your data, and may assign your debt, to selected debt collection agencies where we have been unable to recover the debt ourselves.

Surveys

You may be asked to complete a survey or give us feedback on our products and services. Often, we use third parties to carry out these surveys. You don't have to complete them but if you do, we'll use the results to monitor customer service satisfaction and to improve customer service and, where you have given your consent, for marketing purposes.

Call recording

We may record in-bound and out-bound phone calls and use the recordings to prevent fraud, for staff training and for quality-control purposes.

Your use of our website

We use various software including cookies and tags to improve your digital journey and to identify and prevent fraud. We collect and store information about how you access and use our website and app (including the website you visited before coming to our websites). We automatically receive the IP address of your computer, mobile device, or the proxy server you use to access the Internet and this may include information to identify your browser or device to analyse web traffic.

Fraud prevention cookies collect information about certain features of your device, such as your IP address, device type, browser type, screen resolution and operating system. This is to prevent and detect devices associated with fraudulent or other malicious activity and allows us to authenticate your account.

Emails and webchat

We may record the sending, delivery, opening and use of any links in emails and webchat and whether you mark an email as junk, including the time and date of these actions. This helps confirm the successful delivery and the use of the emails we send. To help us improve the customer experience, we may record the device the email was viewed on, the web browser used, how long an email was viewed and any pages you are directed to on our websites.

Marketing – communications

We'd like to keep you up to date about our products and services that might be of interest to you. However, if you have indicated that you prefer not to be kept informed, we will make sure you are not contacted in this way. You have the right to change your mind about receiving marketing from us at any time and can do so by emailing dataprotection@igo4.com or writing to Data Protection Officer, iGO4, iGO4 House, Staniland Way, Peterborough, PE4 6JT.

Whatever you choose, you'll still receive other important information about the product and services you have with us such as:

- payment information
- details on how to manage your policy using our online tools
- information about a claim
- messages about your renewal.

Marketing profiling

We may use your data to conduct analysis that groups individuals by one or many variables (e.g. age, location) to understand behavioural trends and to target groups of similar individuals who we think may have an interest in our products, services and/or offers. We'll tailor our offers and communications to you based on the results of this profiling.

We'll never provide information about you to companies outside our Group to use for their own marketing purposes.

Industry databases and other sources

We might use information about you from industry-wide databases and other third parties, to help us calculate an insurance Quote, manage a policy and for anti-fraud purposes. Details of the databases we currently use are available on request.

We may also validate the information you give us when requesting a Quote and if a claim is made on your policy. We do this to identify and prevent crime and fraud to protect the interests of us and our customers. We may at any time check and/or file your details with fraud prevention agencies and databases if you give us false or inaccurate information and fraud is suspected (see Section 5).

Customer database changes

So we can make sure our customer information is up to date, we'll sometimes use external data partners to provide checks on any changes to customer data or status that we might not have been made aware of otherwise, such as changes of address or deaths

Price comparison or other introductory services

If you get a Quote through a price comparison website (PCW) or other service, we'll get the information you've given to that service, so we can respond to your request. This is to improve your online experience by not having to re-enter your details.

We also process the information you've given to a PCW and other introductory services to get a Quote (whether you buy the policy or not), to validate later data given by you to us and/or PCWs, to detect fraud, to develop acceptance risk criteria and to build both underwriting (insurer(s)) and retail price models.

Where you've bought a policy using an introductory cash back incentive code, link or claim a reward through one of the price comparison websites, we get and share information about you with the incentive provider or price comparison website to validate your claim.

Credit searches and data checks

Credit reference agencies collect and maintain information about consumers' and businesses' credit behaviour. This includes the electoral register, fraud data, search history, credit information and public information such as County Court Judgments and bankruptcy orders.

We pass information about you to a credit reference agency, where it's needed to carry out a search on your credit file to identify you, before we can give you any services (including Quotes and before offering a renewal). We also ask them to give us your credit score and information about your public credit information, for example County Court Judgments or insolvency, as this information is used in our credit assessment.

The credit reference agency keep a record of the search and place a 'soft footprint' on your credit file, whether or not your application continues. This can only be seen by us, them, and you and won't be used by other organisations to make credit decisions.

In addition, if you choose to pay by instalments, our funding agency Close Brothers Limited trading as Close Brothers Premium Finance will use credit referencing agencies for a hard credit check for new policies and renewals. Your entire credit history will be searched and a mark will be left on your credit report, so whenever prospective lenders look at your credit report they can see you applied for credit and whether you were accepted.

Claims Underwriting Exchange (CUE) and other registers and databases.

We and other Insurers exchange information with various databases and registers to help us check the information you give us, to detect and prevent crime and fraud and to get information about your no claims history. These may include:

- the Claims and Underwriting Exchange Register (CUE), run by Insurance Database Services Limited (IDS Ltd)
- the Hunter Database run by MCL Software Ltd
- the Motor Insurance Anti-Fraud and Theft Register, run by the Association of British Insurers (ABI)
- the No Claims History Database, run by RELX Group trading as LexisNexis.

Information may be shared with these registers and checks carried out against the information held on these registers when we are dealing with:

- your request for insurance
- your renewal
- when amendments are made to your motor policy
- where a claim is made
- where it is necessary to update our policy records.

Under the Terms and Conditions of your policy, you must tell us about any incident (such as an accident, fire or theft) which might cause a claim. When you tell us about an incident, we will pass this information to the above registers and any other relevant registers.

Fraud prevention agency

The personal data you've given us, we've collected from you or we've received from third parties will be used to confirm your identity and to identify and prevent fraud and money laundering.

The type of information that will be processed could be your:

- name
- address
- date of birth
- contact details
- financial information
- employment details
- device identifiers including IP address
- vehicle details.

We, and fraud prevention agencies, may also allow law enforcement agencies to access and use your personal data to detect, investigate and prevent crime.

We process your personal data on the basis that we have a legitimate interest in preventing fraud and money laundering and to confirm your identity. This is so we can protect our business and comply with laws that apply to us. Such processing is also a contractual requirement of the services or financing you have asked for.

Fraud prevention agencies can hold your personal data for different periods of time and if you're considered to pose a fraud or money laundering risk, your data can be held for up to seven years.

If we, or a fraud prevention agency, determine you're a fraud or money laundering risk, we may refuse to provide the services and financing you've asked for, or to employ you, or we may stop providing any existing services.

A record of any fraud or money laundering risk will be kept by the fraud prevention agencies and may result in others refusing to provide services, financing or employment to you. If you've any questions about this, or for more information on the fraud prevention agencies we share data with or to exercise your data protection rights, you can contact us as explained in Section 7.

Automated decision-making

The nature of insurance is to provide a price for a potential risk (including its potential claim value) based on the probability of it arising. So we can give you the best possible price at a speed expected when getting Quotes on the Internet, we use automated decision-making.

Automated decision-making includes:

- the creation of pricing models and risk acceptance criteria
- the profiling of you, based on the data we collect and hold about you to validate and supplement the data we hold and to maintain its accuracy
- the application of the pricing and risk models using data we hold about you, to accept or decline your request for insurance and to calculate the price of your policy
- assessing your ability to pay the insurance premiums and/or credit
- assessing the risk of fraud being committed on your policy
- measuring your driving behaviour and calculating a driving score.

From these checks, your premium, policy terms and credit terms will be determined, or we may not be able to give you insurance or credit.

As described in Section 7, you have the right to express your point of view and to object to an automated decision, and to get human intervention to review it.

Driving data

Hastings Direct Smartmiles and Advantage Insurance Company will use the Smartmiles device data for the purpose of providing you with your policy and ensuring that you are paying a premium that is reflective of your driving performance and that of any named drivers on your policy. The Smartmiles device data will be used to calculate a driving score which will be displayed online on your Smartmiles Dashboard. We will provide you with log in details for this once the Smartmiles device has been activated. The driving score relates to your car and not to you specifically, so you should be aware of this if other people have permission to drive your car.

Your information, including the Smartmiles device data, will be used for the following purposes:

- to contribute towards the calculation and charging of your insurance premium based upon actual vehicle usage and driving behaviours;
- to help us handle any claims, and reduce fraud, by assisting with the identification, assessment or investigation of claims made and to provide clarification as to the circumstances of the claim;
- if you have a professionally fitted or self-installed Smartmiles device, to provide you with the theft tracking service included in your policy;
- to provide you with any other additional services requiring use of the Smartmiles device which we may offer you and you may agree to take up from time to time;
- to help understand safe driving behaviours which we will use to develop underwriting of this product and to inform development of similar products;
- to validate other information provided by you when buying, adjusting or renewing your policy, including but not limited to where your car is kept and your annual mileage;
- to issue us with crash notifications so we could contact you to offer assistance.

The information collected by the Smartmiles device and some of the information provided by you at the point of application, such as age, gender, marital status, the vehicle registration number, make, model and engine size of your car will also be used by us and our respective agents for analysis and research purposes both during the period of insurance and once your policy has ceased.

Following expiry or cancellation of your policy, we will cease to collect data from the Smartmiles device. If you have a professionally installed Smartmiles device, you may ask for it to be removed from your car subject to payment of the administration charge as shown in our Terms and Conditions. If you have a self-installed Smartmiles device, it may be disposed of by you upon expiry or cancellation and the app uninstalled from your phone.

5. How we share your data

This section explains how your data will be shared by us.

Who we share your personal data with

We may share your personal data, including Quote information we hold about you (whether you buy a policy from us or not), with the following third parties for the reasons explained in Section 4:

- optional extra product providers who provide you with an insurance Quote through us as a broker and/or price comparison website;
- third party organisations with whom we get and also share your data, as described in Section 2 and Section 4
- our third party suppliers who specialise in online customer journey optimisation
- with suppliers acting on our behalf - for example, our claims suppliers such as loss adjusters, solicitors, private investigators, vehicle repairers or car hire providers

- e) government organisations such as our regulators, the Financial Ombudsman Service (FOS); the Police, Trading Standards
- f) fraud prevention organisations and agencies such as, Insurance Fraud Register; CUE and the Motor Insurance Anti-Fraud and Theft Register
 - o If we find you've given us false or inaccurate information we may pass your details to fraud prevention agencies. To prevent fraud and money laundering, we and other organisations, including law enforcement agencies may also access and use information recorded by fraud prevention agencies, for example, when:
 - Checking details on applications for credit, credit related or other facilities
 - Managing credit and credit related accounts or facilities and recovering debt
 - Checking details on proposals and claims for all types of insurance
 - Completing credit and fraud searches, such as a driving licence checks
 - Checking any fraud detected through your job applications and employment.
- g) finance institutions to allow us to carry out a financial transaction in respect of your policy
- h) professional auditing bodies for auditing purposes
- i) third party debt collection agencies
- j) We will disclose information collected by the Smartmiles device in the following circumstances:
 - where you have provided your agreement;
 - to our agents and suppliers for operational reasons and for the processing and analysis of Smartmiles device data, including for research purposes;
 - if we are required by law to disclose the information, such as to regulators or to the Police. We will not pass the Smartmiles device data to the Police unless required to do so.

We may also share your personal data if the structure and make-up of Hastings or other data controllers changes in the future. We may choose to sell, transfer or merge parts of our business or assets. We may also seek to acquire other businesses or merge with them. During this process, we may share your data with other parties. We'll only do this if they agree to keep your data safe and private. If a change like this happens, then the other parties may use your data in the same way as set out in this privacy notice

Sending data outside the EEA

We may transfer personal data to, and process personal data in a country outside of the European Economic Area (EEA). If we do transfer your data outside of the EEA, we will make sure that it is protected in the same way as if it was being used in the EEA. In most cases, this will be by using approved EU Standard Contractual Clauses which can be viewed at http://ec.europa.eu/justice/data-protection/international-transfers/transfer/index_en.htm.

We may also process your data in countries which have reached Adequacy Decisions with the European Commission, or are part of the Privacy Shield in the US.

Whenever fraud prevention agencies transfer your personal data outside of the EEA, they too will impose contractual obligations on the recipients of that data to protect your personal data to the standard required in the EEA. They also require the recipient to subscribe to 'international frameworks' intended to allow secure data sharing.

6. How long will we store your information?

If you ask for an insurance Quote, either directly or through a price comparison website, we will keep your personal data (whether you buy the policy or not) for up to three years from the date of Quote. After your Quote has been provided we will process this data for developing our acceptance risk criteria, pricing models and to prevent and detect fraud.

Where you buy an insurance policy from us, we will keep your personal data for the duration of your policy and for up to seven years afterwards for the following reasons:

- to respond to any questions or complaints
- to deal with claims against your policy.

HISL and AICL might keep your data for longer than seven years after you stop being a customer in the following circumstances:

- where a claim has been settled after you stop being a customer
- where minors are involved in a claim
- where there is a claim on your policy over a set amount - we use such personal data to inform our pricing models after the claim is finally determined.

7. Your rights and how to contact us

You have the right to:

- a copy of your personal data held (see section 8);
- have your data corrected if it is inaccurate or incomplete;
- have your data deleted or removed if it is no longer necessary for the purposes for which it was collected and where there is no other valid legal ground to retain it;
- restrict the processing of your personal data;
- withdraw any consent you have given in respect of your personal data (including marketing).
- data portability - to retain and reuse your data in an electronic form for your own purposes or to request we pass the information to another organisation;
- obtain human intervention, where you are subject to a decision based solely on automated processing, including profiling, which has a significant effect on you, to express your point of view and/or to contest the decision - See Section 4 for further details on the automated decision making;
- object where we're processing your information on the grounds of it being in our legitimate interests to do so.

We have established a data protection team who are responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact our data protection team using the details set out below.

When contacting us, please provide your full name, policy and/or quote number if applicable, address and date of birth and address to:

Data Protection Officer
Hastings Direct SmartMiles
iGO4 House
Staniland Way
Peterborough
PE4 6JT

Email: dataprotection@igo4.com.

8. Subject Access Request

You have the right to obtain:

- confirmation that your data is being processed;
- access to your personal data;
- other supplementary information, which is provided in this privacy notice.

If you wish to request confirmation that your data is being processed, or access to your personal data, you should do this in writing by using the contact details provided in Section 7.

9. Complaints

If you are not happy with the way your personal data is held or processed; please contact us at the address above.

You also have the right to complain to the Information Commissioners Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). The ICO will usually require you to have approached us first to try to resolve the matter.

10. Policy updates

We may update or amend this privacy notice from time to time to comply with the law or meet changing business requirements. Any changes to this policy will be posted on this page.

This version was last updated on 1st May 2018 and historic versions are archived can be obtained by contacting us.

11. Glossary

"data protection laws" means the General Data Protection Regulation ((EU) 2016/679) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK.

"IP address" is the term for an Internet Protocol address which is a numerical code that each device connected to the Internet has in order to identify that device. The code contains an element that supports location identification (to varying levels of accuracy).

"Terms and Conditions" the terms and conditions set out in the policy and or policy booklet(s) issued to you.

"Quote" for the purpose of this privacy notice shall include any quote for a new policy, renewal of your existing policy or when you make a mid-term change to your existing policy.