



# **Privacy Notice**

## **Astor Specialty Ltd**

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## **1. Our commitment to privacy within Astor Specialty Ltd**

At Astor Specialty Ltd ("Astor", "we", "us", "our"), we regularly collect and use information which may identify individuals ("personal data"), including insured persons or claimants. We understand our responsibilities to handle your personal data with care and to keep it secure. We will comply with the Data Protection Act 2018 and the UK-retained provisions of the EU General Data Protection Regulation (UK GDPR), together "Data Protection Law". The purpose of this "Privacy Notice" is to provide a clear explanation of when, why and how we collect and use personal data.

Please read this Privacy Notice with care. It provides important information about how we use personal data and where we hold your data and explains your legal rights. This Privacy Notice is not intended to override the terms of any agreement or other contract which you have with us or any rights you might have available under the applicable Data Protection Law.

We may amend this Privacy Notice from time to time, for example, to keep it up to date or to comply with legal requirements or make changes in the way we operate our business. We will notify you about material changes by posting an updated notice on our website. We encourage you to periodically check back and review this Privacy Notice so that you will always know what information we collect, how we use it, and with whom we share it.

This version of the Privacy Notice was published on 18 April 2024.

## **2. Who does this Privacy Notice relate to?**

This Privacy Notice relates to the following types of individuals in circumstances where we hold their personal information:

- Individuals who are clients, including prospective clients who have received an insurance quotation, former clients who have previously held an insurance policy arranged or administered by us, and client representatives, for example, those with power of attorney;
- Representatives and contacts associated with prospective, current and former clients;
- Visitors to our websites;
- Individuals who contact us with a query, concern or complaint;
- Individuals named on insurance policies, such as named drivers, joint policyholders, or beneficiaries; and
- Individuals who request information from us or permit us to contact them for marketing purposes.

There are types of individuals who this Privacy Notice does not relate to, for example, our employees and sub-contractors (including prospective and former employees and sub-contractors). If you are one of these individuals and would like further information on how we collect, use and store your data, please contact us.

## **3. Who is responsible for looking after your personal data?**

Astor is an independent Lloyd's of London insurance broker, authorised and regulated by the Financial Conduct Authority ("FCA"). Our FCA Firm Reference Number is 1012698. These details can be checked on the Financial Services Register by visiting the [FCA Register](#). We are registered with the Information Commissioner's Office (ICO) under registration ZB021868, and our registration can be checked here via the [ICO Register](#).

Astor will generally collect and process personal data in its capacity as a “Data Controller” (as defined under the relevant Data Protection Law). However, it may also provide services to clients or insurers in its capacity as a “Data Processor” (as defined), for example, via the provision of a platform through which personal data is collected and processed. Where this is the case, we will process your personal information in line with our legal obligations and contractual commitments made to the entity acting as Data Controller.

#### 4. What personal data do we collect?

We collect your personal data and use it in different ways depending on your relationship with us (for example, if you are a policyholder, related party or claimant) and how you have interacted with us. This can include information we receive from other third parties.

Depending on your relationship with us, we may hold the following types of personal data about you:

- **Identity and contact data:** for example, your name, date of birth, postal address, telephone number and e-mail address.
- **Personal Risk Information:** such as your gender, date of birth, details of any claims made via us, or your previous claims experience and special categories of data including:
  - Health data - e.g. physical and mental conditions, medical history and procedures, relevant personal habits (e.g. smoking);
  - Criminal data - e.g. driving offences or unspent convictions; and
  - Data relating to minors.
- **Policy Information (excluding third party claimants):** such as your policy number, relationship to the policyholder/insured person, details of policy including insured amount, exceptions etc., previous claims, voice recordings.
- **Payment and account data:** for example, your bank account details or brokerage fees.
- **Marketing information:** such as your name, email address, interests/marketing list assignments, record of permissions or marketing objections, website data (including online account details, IP address), company name, company address, phone number and job title.
- **Location data:** for example, your postal or IP address, the location of any insured property and, in the event of a claim, details of where the incident occurred.
- **Correspondence data:** for example, copies of letters and e-mails we send you or you send to us, and notes or call recordings of any telephone conversations.
- **Internet data:** for example, information collected by cookies and other online technologies such as Google Analytics, as you use our website or contact us by online methods.
- **Information we obtain from other sources:** for example, from credit agencies, anti-fraud and other financial crime prevention agencies and other data providers. This can include demographic data and interest-based data.
- **Complaint data:** for example, what the complaint was, how we investigated it and how we resolved it, including any contact with the Financial Ombudsman Service or other third party adjudicator services.
- **Anti-fraud data:** such as your address, history of fraudulent claims, details of incident(s) giving rise to a claim, including criminal data, e.g. unspent convictions.

Some of our processes combine different sets of information we hold. This can include combining different data sets we have about you or combining your information with that of other individuals.

#### 4.1. Special category data

Certain types of information are known as “special category data” under Data Protection Law and receive additional protection due to their sensitivity (for example, any information that reveals your health or medical conditions, criminal conviction history, race or ethnicity, your political views or your religious beliefs).

We will only collect this information where we have a legal basis for doing so, and where it is strictly necessary, such as:

- When it is relevant to the type of insurance you are enquiring about, have purchased, previously held or that you have been named on;
- When it is relevant to a claim you have made or that someone else has made against you;
- Where it is relevant to a complaint or issue you have raised with us; and
- To arrange alternate forms of correspondence for you, such as Braille, audio format or Touch-Type services.

### 5. How we use your personal data and our legal position

We are required to establish a legal basis to use your personal data (please see Appendix 1 for further details).

We use your information for the following lawful reasons:

- **To enter into or perform a contract:** for example, to provide you with an insurance quotation, to start, change or cancel an insurance policy, to administer the policy, to manage any claims which arise, to answer any queries you may have, action your requests or perform any debt recovery.
- **To comply with a legal obligation:** for example, the rules set by our regulator (the FCA), to fulfil your data rights under data privacy laws, handle complaints about data privacy or our financial products and services, and to comply with other legal requirements, such as preventing money laundering and other financial crimes.
- **For our legitimate business interests:** for example, to offer a renewal, detect and prevent fraud, for statistical analysis, to monitor and improve our business and our products and services, to demonstrate compliance with applicable laws and regulations and for some marketing activities. Where we rely on this lawful reason, we assess our business needs to ensure they are proportionate and do not affect your rights. In some instances, you also have the right to object to this kind of use. For more information on our legitimate interests, please refer to Appendix 1.
- **With your consent:** for example, if you consent to us contacting you for marketing purposes. You can withdraw your consent at any time.
- **To protect vital interests:** for example, in extreme or unusual circumstances, we may need to use your information to protect your life or the lives of others.

### **5.1. Special category data**

The processing of special category data, such as health data, requires an additional legal basis to the grounds set out above.

This additional legal basis will typically be:

- Your explicit consent;
- The establishment, exercise or defence by us or third parties of legal claims; or
- A substantial public interest exemption provided under local laws of EU Member States and other countries implementing the General Data Protection Requirements ("GDPR"), such as where the processing is necessary for an insurance purpose, or to detect or prevent unlawful acts, or to prevent fraud.

It is important to note that our lawful basis for processing your special categories of data will usually be that it is necessary for reasons of substantial public interest and subject to appropriate protections. In the limited circumstances where the benefits are not secured by insurance, and no other legal basis is available, the legal basis of our processing will be your explicit consent.

Where necessary, documentation that you need to complete to provide such information will include a provision where you can indicate that explicit consent. You may withdraw your consent to such processing at any time. However, you should be aware that if you choose to do so, we may be unable to continue to provide insurance services to you (and it may not be possible for the insurance cover to continue), or we may not be able to continue to support you in administering a claim. This may also mean that your policy will need to be cancelled. If you choose to withdraw your consent, we will tell you more about the possible consequences, including the fact that we may no longer be able to act as your broker of record or place, or administer your policy, and that you may have difficulties finding other cover.

## **6. Who do we share your personal data with?**

Where applicable, we may share your personal data with the following types of third parties in circumstances where we have a valid reason to do so:

- Other associated Astor companies (including those who are in run-off but who may still carry out certain regulated activities) and our Appointed Representatives;
- Other insurers and intermediaries including, but not limited to, other insurance brokers and managing general agencies, risk management assessors, uninsured loss recovery agencies and third party administrators who may work with us to help manage the process and administer our policies;
- Service providers who help manage our IT and back office systems, or who provide platforms and portals for administering policies and member details;
- Our regulators, which may include the FCA and ICO, as well as other regulators and law enforcement agencies in the E.U. and around the world;
- Credit reference agencies, premium finance providers, and organisations working to prevent fraud in financial services;
- Solicitors (who may be legal representatives for you, us or a third party claimant) and other professional services firms (including our auditors);

- Marketing fulfilment, webinar and customer satisfaction service providers, acting on our behalf in facilitating online events, providing marketing communications and capturing feedback from our customers on our service levels;
- Third Party Administrators, Loss Adjusters and Claims Experts who may work with us to help manage the claims process; and/or
- Potential purchasers of our businesses.

We and they will only disclose your personal data to third parties in accordance with Data Protection Law. Insurance involves the use and disclosure of your personal data by various insurance market participants. [The London Market Group Insurance Market Information Notice](#) sets out how insurance market participants process your personal data during the insurance lifecycle. Please review this Notice as well as our Privacy Notice.

## **7. International transfers**

For business purposes, to help prevent/detect crime or where required by relevant law or regulation, we may need to transfer, or allow access to, your personal data to parties based overseas. These parties include brokers, insurers, re-insurers, service providers and law enforcement agencies. Where we do this, we will ensure that your information is transferred in accordance with the applicable data protection requirements.

If the Data Protection Laws of the country where we transfer your data are not recognised as being equivalent to those in the UK, we will ensure that the recipient agrees to reflect the standards required in this country.

You have the right to ask us about the safeguards mentioned above and you may contact us as set out in section 11 of this Privacy Notice if you would like further information.

## **8. Automated decision making and profiling**

If you are an insured person undertaking a credit check through a premium finance lender, we may use automated decision making to determine what action to take based on the resulting credit score. We do not use profiling.

Please note that you have certain rights in respect of Automated Decision Making and Profiling. See section 10 for more information about your rights.

## **9. How long do we keep your personal data?**

We will retain your personal data for as long as is reasonably necessary for the purposes listed in section 5 of this Privacy Notice. In most cases this will be for seven years following the end of our relationship with you. However, in some circumstances we may retain your personal data for longer periods of time including:

- Where we are required to do so in accordance with legal, regulatory, tax or accounting requirements;
- So that we have an accurate record of your dealings with us in the event of any complaints or challenges; or
- If we reasonably believe there is a prospect of litigation relating to your personal data or dealings.

We maintain a data retention policy which we apply to records held in our care. Where your personal data is no longer required, we will ensure it is either securely deleted or stored in a way which means it will no longer be used by the business. You can request a copy of any data continued to be held by us via the contact details shown in section 11 of this Privacy Notice.

## **10. What are your rights?**

Data Protection Law gives you certain rights relating to your personal data. This section gives you an overview of these and how they relate to the information you give us. The UK supervisory authority for data rights, the Information Commissioner's Office (ICO), has also published detailed information about your rights on their website: [www.ico.org.uk](http://www.ico.org.uk).

### **10.1. Your right of access**

You have a right to request copies of the personal data we hold on or about you, along with meaningful information on how it is used and who we share it with. This right always applies, but there are some instances where we may not be able to provide you with all the information we hold. If this is the case, we will confirm why we are unable to provide it - unless there is a valid legal reason that means we cannot let you know why.

### **10.2. Your right to rectification**

If personal data we hold is inaccurate or incomplete, and this has an impact on the way we are using your data, you have the right to have any inaccuracies corrected and for any incomplete data to be completed. If you ask us to rectify your personal data, we will either confirm to you that this has been done, or if there is a valid reason that this cannot be done, we will let you know why.

### **10.3. Your right to erasure (the right to “be forgotten”)**

You have the right to request that your personal data is erased in certain circumstances. If you ask us to erase your personal data, we will either confirm to you that this has been done or, if we are unable to delete it, let you know why and also inform you how long we will hold it for. For more information, see section 9 of this Privacy Notice.

### **10.4. Your right to restrict processing**

You can ask us to restrict the use of your personal data in certain circumstances. If you ask us to restrict the use of your personal data, we will either confirm to you that this has been done or, if we are unable to restrict it, we will inform you why.

### **10.5. Your right to object to direct marketing**

You can object to receiving direct marketing from us, for example, by clicking on the unsubscribe link in any email you receive from us. If you do so, we will ensure that you do not receive such material going forward, unless you change your mind and specifically request it in the future.

### **10.6. Your right to object to automated decision-making**

You can object to decisions made about you using your personal data undertaken by purely automated means. If you do so, we will arrange for someone to assess the automated decision and confirm the outcome of this assessment to you.

### **10.7. Your right to challenge our legitimate interests**

You can challenge the use of your personal data where we use a legitimate business interest as a legal basis to process your information. You can find more information on when we use this legal



basis in section 5 of this Privacy Notice. If you do so, we will either confirm to you that the processing has stopped or inform you if there is a valid reason for the processing to continue.

### **10.8. Your right to object to the use of your information for statistical purposes**

You can object to us using your personal data for statistical purposes in some instances. If you do so, we will either confirm to you that the processing has stopped or inform you if there is a valid reason for the processing to continue.

### **10.9. Your right to data portability**

In certain circumstances, you have the right to request that your personal data be compiled into a common, machine-readable format and either provided directly to you or sent by us to a third-party you nominate. If you request this, we will either act upon your instruction and confirm to you that we have done so, or if there is a valid reason that this cannot be done, we will tell you why. To exercise your rights, you may contact us as set out in section 11.

However, please note the following:

- We take the confidentiality of all records containing personal data seriously and reserve the right to ask you for proof of your identity if you make a request;
- We will not ask for a fee to exercise any of your rights in relation to your personal data, unless your request for access to information is unfounded, repetitive or excessive, in which case we will charge a reasonable amount in the circumstances. We will let you know of any charges before completing your request;
- We aim to respond to any valid requests within one month unless it is particularly complicated or you have made several requests, in which case we aim to respond within three months. We will let you know if we are going to take longer than one month. We might ask you if you can help by telling us what exactly you want to receive or are concerned about. This will help us to action your request more quickly;
- Local laws, including in the UK, provide for additional exemptions, in particular to the right of access, whereby personal data can be withheld from you in certain circumstances (for example, where it is subject to legal privilege); and
- Having regard to third party rights, we do not have to comply with a request where it would adversely affect the rights and freedoms of other data subjects.

### **10.10. Your right to complain**

If you are unhappy with how we have used your personal data, or if you believe we have failed to fulfil your data rights, you have the right to complain to us, and can contact us to raise your concerns using the details shown in section 11 of this Privacy Notice.

If you remain unhappy with our response you may raise a complaint with a supervisory authority responsible for data protection and privacy.

In the UK, the supervisory authority is the Information Commissioner's Office (ICO), who can be contacted using the following details:

By e-mail: [casework@ico.org.uk](mailto:casework@ico.org.uk)

By telephone: 0303 123 1113

By post: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF.

## **11. How you can contact us**

We take data privacy seriously and your opinion matters to us. The primary point of contact for all issues arising from this Privacy Notice, including requests to exercise data subject rights, is our Data Protection Officer. Astor's Data Protection Officer is Robert Kelly, who can be contacted in the following ways:

By e-mail: [Robert.Kelly@astorspecialty.com](mailto:Robert.Kelly@astorspecialty.com)

By post: Robert Kelly, Data Protection Officer, Astor Specialty Ltd, Studio 203, 7 Pearson Square, London W1T 3BP.

## Appendix 1 – Legal basis for processing data

| Purpose/activity   | Lawful basis for processing, including basis of legitimate interest   |
|--|---|
| To register you as a user on one of our websites   | Necessary for our legitimate interests (to assist policyholders in requesting and managing policies online)   |
| To provide services to you and carry out your instructions in connection with our services   | Performance of a contract with you  |
| To make decisions on whether to issue a policy of insurance to you, and to calculate the appropriate premium. In certain circumstances, we may decline to issue a policy of insurance to you because of data we have collected from third party sources (e.g. government sanctions lists, or data about your criminal convictions) | Performance of a contract with you<br><br>Necessary for our legitimate interests (to determine appropriate persons to issue policies of insurance to, and to determine appropriate insurance premiums or to comply with the terms of authority granted to us by insurance companies)                                |
| To share information with your broker and other professional advisors for the purposes of those parties providing services to you  | Necessary for the legitimate interests of a third party (to allow your advisors to provide services to you).  |
| To administer policies of insurance underwritten by us, including the transfer and receipt of premiums and commissions   | Necessary for our legitimate interests (to carry out the services we are contractually required to provide for the benefit of policyholders and insurers)<br><br>Necessary for the legitimate interests of a third party (to allow brokers and/or insurers to provide a service or policy which you have requested) |
| To review, manage and assess claims made by policyholders on policies of insurance   | Necessary for our legitimate interests (to carry out services we are contractually required to provide, for the benefit of policyholders and insurers)  |
| To make payments to policyholders in connection with claims on policies of insurance   | Necessary for our legitimate interests (to carry out services we are contractually required to provide, for the benefit of policyholders and insurers)  |
| To screen details of policyholders against lists of individuals subject to governmental or regulatory sanctions  | Necessary to comply with a legal obligation<br><br>Necessary for our legitimate interests (to operate our business in accordance with regulatory requirements or to comply with the terms of authority granted to us by insurance companies)  |

|   |   |
|---|---|
| To manage queries relating to services we have provided to you or your clients historically, or policies we have underwritten   | <p>Performance of a contract with you</p> <p>Necessary for our legitimate interests (to be able to respond to queries about our services)</p>   |
| <p>To manage our relationship with you which may include:</p> <ul style="list-style-type: none"> <li>• Notifying you about changes to our terms or privacy policy; or</li> <li>• Asking you to leave a review or take a survey</li> </ul> | <p>Performance of a contract with you</p> <p>Necessary to comply with a legal obligation</p> <p>Necessary for our legitimate interests (to keep our records updated and to study how brokers and policyholders use our products/services)</p>   |
| To enable you to partake in a competition or complete a survey  | Necessary for our legitimate interests (to keep our records updated and to study how brokers and policyholders use our products/services)   |
| To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)  | <p>Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business re-organisation or group restructuring exercise)</p> <p>Necessary to comply with a legal obligation</p> |
| To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you  | Necessary for our legitimate interests (to study how brokers and policyholders use our services, to develop them, to grow our business and to inform our marketing strategy)  |
| To use data analytics to improve our website, products/services, marketing, broker and insured relationships  | Necessary for our legitimate interests (to define types of brokers and policyholders for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)   |
| To make suggestions and recommendations to you about goods or services that may be of interest to you   | <p>Consent (e.g. where you have provided positive consent)</p> <p>Necessary for our legitimate interests (to develop our services and grow our business)</p>  |
| To invite you to networking and professional events, and to inform you about developments in our business or the insurance sector more widely   | <p>Consent (e.g. where you have provided positive consent)</p> <p>Necessary for our legitimate interests (to develop our services and grow our business)</p>  |