

Privacy notice – Insurance Claims and Insurance Cover

This notice provides details of what information we collect from you, what we do with it, and who it might be shared with.

Data Controller

Falkirk Council is the data controller. You can contact the data protection officer at:

Data Protection Officer
Municipal Buildings
Falkirk
FK1 5RS
data.protection@falkirk.gov.uk

Why do we collect this information?

The information is being collected for the following purpose/s:

1. To assess any insurance claim made against the Council and to either settle the claim or reject the claim (including taking or defending any legal action).
2. In relation to Council properties, the Council can arrange some types of insurance cover. For example, on behalf Council tenants. The Council does not handle claims under these policies.

The legal basis for each purpose is set out below:

Legal basis	Purpose
Consent	
Performance of a contract	2
Legal obligation	1 and 2
Vital interests	
Task carried out in the public interest	1 and 2
Legitimate interests	

What information do we collect about you?

In processing your insurance claim we collect your name, date of birth, occupation, employer details, and contact details (which may be a postal address, email address and/or phone numbers), and details of your claim (including medical conditions or injuries where relevant to your claim). We also keep copies of your communications with us and our responses.

In arranging Tenants Contents or Buildings insurance for you, we collect all the information necessary for an application your name, date of birth, occupation, employer details, and contact details (which may be a postal address, email address and/or phone numbers), details of criminal convictions, previous insurance claims, and medical conditions where relevant to the cover being requested. We also keep copies of your communications with us and our responses.

Where do we collect information from?

In processing your insurance claim we collect information from details you provide on a claim form, or any communication such as phone calls, emails and letters. There may be cases where we collect information from third parties such as witness statements, medical reports, and police reports, bodies acting on your behalf such as Insurers, solicitors, or claims management companies.

In arranging Tenants Contents or Buildings insurance we collect information from details you provide in any communication (phone calls, emails and letters), and the insurance proposal form.

We may also collect information from other council departments as part of our investigation process for verification processes and / or for the prevention of fraud.

In addition it may be necessary to involve a parent, guardian, or someone with continuing power of attorney or welfare power of attorney over your affairs. We would request consent if required or a copy certificate as proof of same.

Who might we share your information with?

We may share information with our Insurers, currently Ocaso Insurance for Home Buildings and Aviva for Tenants Contents Insurances, Gallagher Bassett Claims Handlers, and their advisors such as solicitors or investigators, and our Insurance Brokers (there are currently two: Marsh and Aon) , all of whom may process information on our behalf.

The Council has a duty to protect public funds. We may check your information within the Council for verification purposes and/or for the prevention of fraud. We may share your information with other organisations where we are required to do so for the purposes of the prevention or detection of crime.

Will we send your information out with the UK?

We do not transfer your information out with the UK.

How long do we keep hold of your information?

We keep your information for six years after your claim is closed, or three years after your 18th birthday, whichever is the later.

We keep your information during the period of your insurance policy and for six years following cancellation of your cover.

What are my rights in relation to the information held about me?

You have the following rights:

- To see any information held about you by making a [subject access request](#).
- To withdraw consent at any time, where the legal basis for processing is consent.
- To data portability, where the legal basis for processing is (i) consent or (ii) performance of a contract.
- To request rectification or erasure of your information, where data protection legislation allows this.

Do I have a right to complain about the way information has been used?

If you have a concern about the way we are collecting or using your personal data, please let us know and we will try to resolve this. If you are still concerned, you can contact the Information Commissioner:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Fax: 01625 524 510

Email: casework@ico.org.uk

Do I have to provide my personal data to you?

We require personal data to progress an application for insurance or to process your claim. Without this we are unable to effect cover on your behalf, or move a claim forward. You do not have to provide information to us, but we may then not be able to provide you with a service

Do you use any automated processes to make decisions about me?

We do not use automated decision making processes

Version Number	Purpose/Change	Author	Date
0.1	First draft	Insurance Supervisor (VG)	22.05.18
0.2	second draft	Insurance Supervisor (VG)	25.05.18
0.3	Revisals and comments	Senior Solicitor	25.05.18
0.4	Revisals	Insurance Supervisor	28.06.18
0.5	Revisals	Insurance Manager	04.05.20