

Information sheet on data processing when processing claims

R+V Versicherungsgruppe - Raiffeisenplatz 1 - 65189 Wiesbaden
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1. What is the purpose of this information sheet?

We have written this information sheet to provide you with detailed information about the processing of your personal data. We only process your data to the extent we are authorised or obliged to by law.

In its **Code of Conduct**, the German insurance industry has committed not only to ensure stringent compliance with data protection-related laws, but also to promote data protection by implementing additional measures. This is explained further in the online version of the Code of Conduct at www.code-of-conduct.ruv.de

There you will find details of the R+V Versicherungsgruppe companies that apply to this Code of Conduct. We can of course send you our Code of Conduct by post. To arrange this, please contact our Data Protection Officer.

2. Contact details of our Data Protection Officer

Should you have any queries regarding data protection matters, please get in touch with our Data Protection Officer at R+V Versicherungsgruppe:

R+V Versicherung AG
Data Protection Officer
Raiffeisenplatz 1
65189 Wiesbaden
Telefon: 0800 533-1112
Telefax: 0611 533-4500
E-Mail: datenschutz@ruv.de

If you have any general **queries regarding your insurance policy**, please ensure you use **our general contact options**. Further information on this can be found online at www.ruv.de

3. How and when do we use your personal data?

We process your data in connection with claim processing and any procedures connected to this. The processing of this data is regulated by law.

We generally request that you only provide us with data that are necessary for the respective purpose (such as handling of payment of insurance benefits or claims), or that are stipulated by law (such as data arising from requirements from the German Money Laundering Act (Geldwäschegesetz) or requirements arising from tax law). If we ask you to provide us with data voluntarily, we shall ensure you are specifically made aware of this. If there is a contractual or statutory obligation to notify data, and you refuse to do so, this may mean that we are not obliged to pay insurance benefits.

We also process your data within the framework permitted by law for the purpose of **advertising or market or opinion research**. **You can withdraw this use informally at any time with future effect. You can send your objections to advertising, for example, via email to ruv@ruv.de.**

We also process your personal data within the framework of statutory data protection provisions for purposes that are not directly linked to your insurance policy or the claim.

This may be the case, for example, in order to

- fulfil permitted regulatory or supervisory requirements. As a result, our primary business activity is subject to special statutory provisions within the framework of which your personal data are processed, such as combating money laundering, statutory reporting obligations to government agencies, Solvency II, etc.-
- test and optimise electronic data processing procedures
- ensure IT security and IT operations
- classify, assess and store the credit rating within the applied scoring procedure

- prevent and investigate criminal offences; in particular, we use data analytics to detect indications that may point to insurance fraud
- compile and, where necessary, evaluate cross-company data to the extent permitted by law
- pursue insurance-related research purposes, such as accident research
- compile rate calculations and perform internal controlling measures
- assert legal claims and clarify legal disputes.

If you provide us with photographs, expert opinions or cost estimates as evidence of the damage that has occurred, we will check these properly or have them checked by specialist service providers with appropriate expertise (if necessary, also taking into account the technical data or metadata contained in the photographs). If necessary, experts commissioned by us will, after prior notification, take photographs of the damage and send them to us.

If you provide us with a **video camera** recording (“dashcam”) in the course of processing the claim, we will assume that you have made this recording in accordance with data protection regulations. We refer in respect of this to the decision of the Federal Court of Justice of 15/05/2018 Az VI ZR 233/17. We will process this video recording only to the extent that we are entitled to do so under data protection law.

4. Legal bases

We process your personal data only to the extent permitted by law. Processing in the context of claims processing takes place

- because it is necessary for the performance of the contractual relationship, Art. 6 para. 1 b) General Data Protection Regulation (GDPR).
- in accordance with Art. 6 para. 1 c) GDPR in conjunction with the statutory provision that requires the data processing (e.g. in the event of subrogation of claims for compensation in accordance with Section 86 of the German Insurance Contract Act (VVG), to fulfill a direct claim against us due to compulsory insurance in accordance with Section 115 VVG, in the event of subrogation in the event of third-party liability Section 6 of the German Continued Remuneration Act).
- in accordance with Art. 6 para. 1 f) GDPR to protect our legitimate interests or the legitimate interests of a third party. This often concerns the case that we transfer your data to third parties. If, for reasons of process optimization, for example, we transfer data to specialized service providers who act as independent controllers, we conclude contracts with these service providers to ensure that an appropriate level of data protection applies there.
- in the context of a legal dispute pursuant to Art. 9 para. 2 f) GDPR. For example, we transmit your health data to commissioned lawyers or experts.
- if we process data for which the law requires consent for data processing in accordance with Art. 6 para. 1 a) or Art. 9 para. 2 a) GDPR, we will obtain this separately from you.

5. Origin and categories of personal data

We generally collect personal data directly from the data subject, doing so, for example, from the correspondence we have with them or the contact forms they complete.

However, it may be the case in certain circumstances that we obtain personal data from third parties:

This includes the following examples:

- With regard to **returned mail**, specialist service providers conduct an address search in order to obtain up-to-date address details.
- We receive data on **co-insured parties or insured persons** via our policyholders if we are unable to collect these data directly from these persons.
We collect their name, address and date of birth, for example. We collect the necessary data for the payment of insurance benefits directly from the data subject.
- We obtain data on **beneficiaries** from our policyholders, such as their name, address and date of birth, so that we are able to contact the data subject in the event of payment of insurance benefits.
- With regard to motor insurance, we obtain the data relating to a **different keeper** from our policyholder, such as their name, contact details, vehicle details and date of birth.
- We also receive personal data about you via your responsible intermediary, e.g. as part of the claims assessment.

- We also receive data on injured third parties via our policyholder or through other third parties (e.g. witnesses, authorities, court and investigation files, possibly other insurers).
- We obtain data on **witnesses** from our policyholder or third parties involved, such as investigate and prosecuting authorities. Here we obtain their name, contact details and the respective information relating to the circumstances of the case.
- With regard to **credit reports**, we obtain credit rating information from specialist credit agencies. Further information on this is provided under Item 11.

6. To whom do we transfer your data?

During the course of your insurance policy, we may transfer your data to third parties:

a) Our policyholder

In individual cases, we may be legally entitled and contractually obliged to provide our policyholder with evidence of our claims handling. This applies, for example, if our policyholder wishes to check whether we have rightly settled claims for damages in a certain amount and whether this has affected his no-claims discount.

b) Reinsurers

In certain circumstances, such as an enhanced risk of financial default, we pass on a portion of the risks assumed under the terms of the insurance policy to **reinsurers**. It may be necessary here to notify any corresponding insurance-related details to the reinsurer.

Data are transferred to reinsurers within the framework of the general balancing of interests. If it is necessary to transfer health-related information to reinsurers, we shall obtain your separate consent.

Information on data processing by eligible reinsurers can be found on our website at www.rv-re.de

c) Insurance brokers

We provide your insurance broker with the general contract and claims data they need to provide advice and support.

We generally transfer data to insurance brokers within the framework of the general balancing of interests or on a legal basis.

If it is necessary to transfer health-related information to the broker, we shall obtain your separate consent.

d) Transfer of data to other insurers

As part of claims handling, it may be necessary to exchange information with a previous insurer in order to verify the details of the applicant or insured person.

It may also be necessary for data to be exchanged between the previous insurer and the new insurer when transferring pension entitlements in the event of a change of provider or employer, or when transferring old-age provisions in a health insurance policy to the new insurer.

Furthermore, personal data must also be shared among insurers under certain circumstances, such as multiple insurance policies, statutory subrogation and division agreements. This involves disclosing the data of the data subject, such as their name and address, vehicle registration, type of insurance cover and risk or details regarding the claim, such as the value of the claim and the date it occurred. We document this exchange of data.

With regard to the joint hedging of risks, data can be exchanged between the insurers involved during the risk assessment and handling of claims.

The transfer of data to other insurers also generally takes place within the framework of the general balancing of interests and, in certain circumstances, based on your consent, which we shall obtain from you separately.

e) Central Reporting and Information System (Zentrales Hinweis- und Informationssystem, HIS)

If we review an application or claim, it may be necessary to submit **queries** to other insurers or respond to corresponding queries from other insurers in order to assess the risk involved, to further clarify the circumstances of the case or to prevent insurance fraud. To enable a more accurate assessment of risks and payment of insurance benefits, the insurance industry uses the Reporting and Information System (Hinweis-

und Informationssystem, HIS) from the company informa HIS GmbH. A detailed description of the HIS can be found online at www.informa-his.de. Not all R+V Versicherungsgruppe companies are involved in the HIS.

Additional information on queries to the HIS can be found in our Privacy Policy at www.ruv.de/datenschutz. Submission of a **report** to the HIS and use of said system only occur for purposes that can be pursued using the system, i.e. only if certain conditions are met. In these particular circumstances, data are transferred on the basis of a general balancing of interests. If we report you to the HIS, we shall inform you of this in writing.

Claims

We, and other insurance companies, report to the HIS any heightened risks and abnormalities that could indicate insurance fraud and therefore require further investigation. The report can be made at the time of application or in an insured event and can relate to a person or an object, such as a vehicle. A report on a person is possible if unusually frequent claims are filed or, for example, if the damage event does not match the damage description. In an insured event, the insurer needs to know whether a vehicle had serious or non-repaired previous damage or if it had ever been reported stolen. As a result, we report vehicles to the HIS if they have suffered a total loss, been stolen or if claims have been settled without proof of repairs.

We report property to the HIS if we identify an unusually high frequency of claims. If we report you, your property or your vehicle to the HIS, we shall inform you of this.

When examining your application for insurance or settlement of a claim, we send a query (for a person or object, such as a vehicle) to the HIS and save the results. In an insured event, the HIS may request that we ask for further details relating to the circumstances of the case from the insurers that have reported data to the HIS. We also save these results if they are relevant to our review of the insured event. It may be that we need to respond to queries from other insurers for the subsequent payment of insured benefits and therefore may be required to provide information on your insured event.

Legal protection

We, and other insurance companies, report to the HIS any heightened risks, such as policies with an unusually frequent level of reported legal protection cases. If we report you to the HIS, we shall notify you of this. When examining your application for insurance, we send a query regarding you as a person to the HIS and save the results. If we receive notification of risk-enhancing characteristics, we may request additional information from you on the specific reason for submitting a report.

Should it be necessary to clarify the circumstances of the case, data may be exchanged between the insurance companies reporting to the HIS and requesting information from the HIS in the event of payment of insurance benefits. The exchange of data is documented. The data subjects shall be informed of this exchange, unless this is done to clear up any inconsistencies.

f) Vehicle registration authority, previous owner or the Federal Motor Transport Authority

It may be necessary for the settlement of claims to exchange personal data with the vehicle registration office, the previous owner or the Federal Motor Transport Authority..

g) Contractors and service providers

Visit www.code-of-conduct.ruv.de to find the list of contracts and service providers where there are permanent commercial relationships in place.

We can of course send you a copy by post. To arrange this, please contact our Data Protection Officer.

If we do not merely outsource "auxiliary functions" subject to strict instructions to service providers, but these service providers also undertake additional activities independently, this involves a so-called "independent task fulfilment" under data protection law. Typical examples here include experts, auditors or medical service providers.

If you are able to assert that your legitimate interest owing to your personal situation outweighs the interest of the transferring insurance company, you have the **right to object** to the transfer of data regarding independent task fulfilment.

One such example would be the following: With regard to a previous insurance claim, a court has lawfully determined that a certain expert has incorrectly assessed the circumstances of your case. Should a new insurance claim arise, you can object to the appointment of the same expert owing to the fact there are justified objections to his or her appointment. On the contrary, it is not sufficient to say you do not want data to be transferred to service providers in general or to a specific service provider without specifying the particular reasons why. Service providers acting on their own responsibility (Controller-to-Controller Agreement) can be found in the above-mentioned list of service providers..

h) Centralised data processing within R+V Versicherungsgruppe

Individual divisions are centralised within R+V Versicherungsgruppe, such as premium collection services, phone-based customer service or data processing. As a result, master data such as your insurance number, policy type or date of birth are updated in a central data collection process, i.e. your general application, policy and insurance benefit data.

As an example, your address shall only be stored once where applicable, even if you take out policies with different Group companies. This ensures any incoming post is assigned correctly at all times and the competent contact person can be appointed quickly in the event of telephone queries.

All R+V Versicherungsgruppe companies linked to the centralised data processing system are able to view these master data.

On the contrary, any remaining application, insurance policy and insurance benefit data can only be read by the Group companies managing the insurance policy.

The following R+V Versicherungsgruppe companies are linked to the centralised data processing system:

R+V Versicherung AG
R+V Allgemeine Versicherung AG
R+V Direktversicherung AG
R+V Gruppenpensionsfonds-Service GmbH*
R+V Krankenversicherung AG
R+V Lebensversicherung AG
R+V Lebensversicherung a.G.
R+V Pensionsfonds AG
R+V Pensionskasse AG
R+V Pensionsversicherung a.G.
R+V Rechtsschutz-Schadenregulierungs-GmbH*
R+V Service Center GmbH*
R+V Treuhand GmbH*
RUV Agenturberatungs GmbH*
Vereinigte Tierversicherung Gesellschaft a.G.
KRAVAG-HOLDING Aktiengesellschaft
KRAVAG-ALLGEMEINE Versicherungs-AG
KRAVAG-LOGISTIC Versicherungs-AG
KRAVAG-SACH Versicherung des Deutschen Kraftverkehrs VaG
KRAVAG und SVG Assekuranz Vertriebs- und Bearbeitungszentrum GmbH*
KRAVAG Umweltschutz und Sicherheitstechnik GmbH (KUSS)*
Condor Allgemeine Versicherungs-Aktiengesellschaft
Condor Lebensversicherungs-Aktiengesellschaft
Condor Dienstleistungs-GmbH*
R+V Dienstleistungs-GmbH*
Pension Consult Beratungsgesellschaft für Altersvorsorge mbH*
carexpert Kfz-Sachverständigen GmbH*
CHEMIE Pensionsfonds AG
compertis Beratungsgesellschaft für betriebliches Vorsorgemanagement mbH*
UMB Unternehmens-Managementberatungs GmbH*

* This company is a service provider for R+V Versicherungsgruppe companies and can therefore access personal data.

The up-to-date list of companies involved in the centralised data processing system can be viewed at www.code-of-conduct.ruv.de. We can of course send you a copy of this list by post. To arrange this, please contact our Data Protection Officer.

h) Superordinate financial conglomerates

We transfer personal data to DZ BANK AG as a financial conglomerate if and insofar as we are obliged to by law. This obligation may arise from the rules on proper business organisation, such as having an appropriate and effective risk management system at Group level.

i) Lessors and lenders

If you take out property insurance policies with R+V within the framework of lease or loan agreements, we shall inform the lessor or lender in question, upon request to do so, that there is corresponding insurance cover

in place and that it is entered as a third party beneficiary in connection with terminations, payment default and insurance claims.

The lessor or lender shall also be informed about the sums insured and existing excesses in place so that it can assess its financial risk of default.

j) Authorities, central banks and other bodies with public service tasks

We transfer your personal data to authorities, central banks and other bodies with public service tasks if we are authorised or obliged to by law or under the terms of the insurance policy.

Such data may be transferred upon request to do so by an authority. We shall then check whether the authority in question is entitled to receive these data.

In certain circumstances, we are obliged by law to transfer your data to authorities, such as the following:

- as a result of tax provisions or obligations arising from the German Banking Act (Kreditwesengesetz) with regard to reports submitted to the Deutsche Bundesbank, or
- to the reporting authorities stipulated by law in the case of professional liability insurance policies required by law.

We shall obtain your consent in all other instances.

k) Co-insured parties

For claims where there are additional co-insured parties alongside the policyholder, it may be necessary to transfer the data of the respective other person to enable performance of the insurance policy. If your consent is required for this, we shall obtain this separately.

7. Transfer of data to third countries outside the EU/EEA

We observe the stringent statutory requirements in place when transferring personal data within the EU/EEA. Where necessary to do, we transfer your personal data to service providers located in third countries outside the EU/EEA, such as within the framework of IT services, or to experts. The choice of these parties and the contractual arrangements in place are of course in line with statutory provisions.

For certain policy types, it may be the case that we have to transfer your data to reinsurers located in third countries outside the EU/EEA.

It is particularly so in cases where the insured risk or the policyholder is located in a third country that it may be necessary to transfer data to the third country (such as to brokers or other insurers).

Furthermore, there are also statutory reporting obligations under certain circumstances, owing to which we have to transfer your data to authorities and similar bodies located in third countries outside the EU/EEA.

Such transfers may also be required in the event of legal disputes involving an international element (such as transfers to lawyers).

If your consent is required in individual cases, we shall obtain this separately.

8. How long do we store your data for?

Where necessary to do so, we shall process your personal data for the duration of the handling of the claim.

In addition, we are also subject to various retention and documentation obligations. These obligations arise, among others, from the German Commercial Code (HGB), the German Fiscal Code (AO), the German Money Laundering Act (GWG) or the German Regulation on the Accounting of Insurance Undertakings (RechVersV). The time limits for storage and/or documentation prescribed therein are two to 30 years.

The period of storage is in accordance with the statutory limitation periods, which can, for example, be up to 30 years according to Section 195 et seqq. of the German Civil Code (BGB); the regular limitation period is three years.

To find out more about our deletion deadlines, go to <https://www.ruv.de/datenschutz/loeschfristen>

We can of course also send you this list by post. To arrange this, please contact our Data Protection Officer.

9. What are your rights?

You can assert your statutory rights to access, rectification, erasure, restriction of processing and data portability to our data protection officer.

If the data processing is based on a general balancing of interests, you have a right to object to this data processing if there are grounds relating to your particular situation, which oppose this data processing.

10. Obligation to notify if we receive third party data from you

If we receive the personal data of third parties from you as the policyholder, you must ensure this information sheet on data processing is forwarded to said third party. These include, for example, co-insured parties, insured persons, beneficiaries, injured parties, witnesses, other parties responsible for paying premiums, creditors, lessors, etc.

11. When do we obtain information on your credit rating?

When processing a claim, we may obtain credit reports on policyholders and claimants from a credit agency on a case-by-case basis (e.g. in the case of high-risk customers or if there are indications of insurance fraud). This is done on the basis of our legitimate interest. The legitimate interest is the existing financial default risk in the event of recourse.

When dealing with applications or offers for bond insurance, credit insurance or insurance to cover financial losses, such as fidelity insurance, as well as during the term of one of these policies, R+V shall transfer your personal data (company name, surname, first name and date of birth) to its commissioned credit agencies. This is done in order to obtain information on your previous payment behaviour and credit rating. This is based on mathematical-statistical procedures using your address details. The legitimate interest in obtaining a credit report exists in such cases when dealing with applications for and during execution of these policies owing to R+V Allgemeine Versicherung AG's existing risk of financial default.

In these cases, we transmit the necessary data, such as company, surname, first name, address, date of birth, to the commissioned credit agency.

Our partners are as follows:

infoscore Consumer Data GmbH, Rheinstraße 99, 76532 Baden-Baden
informa Solutions GmbH, Rheinstraße 99, 76532 Baden-Baden
SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden
Creditreform Wiesbaden Hoffmann KG, Adolfsallee 34, 65185 Wiesbaden
Bürgerel Wirtschaftsinformationen GmbH & Co. KG, Gasstraße 18, 22761 Hamburg
Prof. Schumann Analyse GmbH, Weender Landstraße 23, 37073 Göttingen
Deutsche Bank AG, Zentrale Auskunft, 20079 Hamburg
Bisnode Deutschland GmbH, Robert-Bosch-Straße 11, 64293 Darmstadt
KSV1870 Information GmbH, Wagenseilgasse 7, 1120 Vienna, Austria

If you wish to obtain information about the personal data stored by a credit agency, please get in touch directly with the commissioned credit agency in question.

12. What rights do you have in relation to automated individual decisions?

As an insurer, we are authorised to base a so-called "automated individual decision" on your personal data (including your health data) in certain case groups (such as a decision to take out or fulfil an insurance policy, or a decision based on binding fee provisions for medical treatments, such as the German Scale of Medical Fees (GOÄ)). What this means in certain circumstances is that we take your personal data into account within an algorithm that is based on recognised mathematical-statistical procedures.

If we fail to satisfy your claim for payment of insurance benefits or **compensation**, either in full or in part, you shall be entitled to the following rights:

- the right to challenge the intervention of a person by us as the responsible party,
- the right to put forward your own point of view, and
- the right to contest the decision.

We shall inform you explicitly of these rights if we have to reject your claim, either in full or in part, and are unable to pay out any insurance benefit or compensation.

In certain cases, we also take your personal data into account as part of a mathematical-statistical procedure (profiling).

13. Right to lodge a complaint

You have the right to lodge a complaint with a data protection supervisory authority, see Article 77 GDPR.