



Data protection leaflet on claims processing

R+V Insurance Group - Raiffeisenplatz 1 - 65189 Wiesbaden
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Preliminary remarks

This leaflet serves as comprehensive information for you about how we process your personal data when processing claims. We only process your personal data in as far as the law allows us to, or as we are obligated to.

Contact details of our data protection officer

If you have any data protection-related questions, please contact the R+V Insurance Group Data Protection Officer:

Dr. Roland Weiß, Raiffeisenplatz 1, 65189 Wiesbaden, Email: datenschutz@ruv.de

If you have any general questions about your claim or contract, please use the general contact channels. You will find information about these on the website: www.ruv.de

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.

The German insurance industry has committed in the **Code of conduct applicable in the German insurance industry** not only to comply strictly with data protection legislation, but also to enhance data protection through additional measures. Details can be found in the Code of conduct online: www.code-of-conduct.ruv.de. There you will also find the companies which joined the R+V Insurance Group on 01/01/2014. We will be glad to send you a printout of this Code of conduct by post on request. For this purpose please contact: R+V Versicherung, Datenschutz, Raiffeisenplatz 1, 65189 Wiesbaden, Email: datenschutz@ruv.de

Furthermore, if legally permissible, we collect, process and use your data for the purpose of **advertising or marketing and opinion research**. You can object to this use of your data informally at any time with future effect. You can send objections to advertising also by email to ruv@ruv.de.

In addition, if applicable, your data is collected, processed and used within the data protection regulations for other purposes, which are not directly connected to the insurance contract or the claim.

Some examples of this are:

- Realising and implementing necessary as well as legally permissible regulatory and supervisory requirements. By way of explanation: In connection with our main business we are governed by a multitude of specific legal regulations under which your personal data is processed (e.g. combating money laundering, statutory reporting obligations to public bodies, Solvency II etc.)
- Review and optimisation of electronic data processing procedures
- Compilation of in-house and legally permissible data used company-wide
- General tariff calculations
- For the assertion of legal claims and defence in legal disputes

In principle, we ask you only to provide us with such data that is necessary for the respective purpose (e.g. processing of losses or claims) or prescribed by law (e.g. based on requirements under the Money Laundering Act). Whenever we ask you to give us data voluntarily, we will make this specifically clear. If there is a contractual or legal obligation to provide the data and you refuse to do this, it is possible that we may not be able to process your claim or not be obliged to pay benefits.

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. Regarding the information duties that may exist in this respect, please refer to the following explanations.

Legal bases

We process your personal data in connection with claims procedures as established by law because this is necessary for regulation purposes. In the case of a legal dispute, for example, we may forward your health-related data to nominated lawyers (Article 9(2)(f) General Data Protection Regulation (GDPR)).

If we process data for which the law requires a data collection consent, we will request this from you separately. For example, this usually occurs if we process your health-related data when processing a personal injury claim (in as far as this does not occur under a legal requirement, (e.g. for a transfer of compensation pursuant to § 86 VVG (German Insurance Contract Act), § 6 Continued Remuneration Act), in order to fulfil a direct claim against us due to a compulsory insurance contract pursuant to § 115 VVG etc.).

In other cases, we also process your data because of a **general balancing of interests**. This is often the case where we pass your data on to third parties. If, for example, in order to optimise processes, we pass on data to specialised service providers, who are independent of us, we conclude service provider contracts with them which ensure that the appropriate level of data protection is put in place.

If we process data for the purpose of balancing interests, you have the **right to object** against this data being processed. To do so, you must provide legitimate grounds which result from your specific situation. The right to objection does not apply if there are conflicting compelling legitimate interests to process data and/or the processing of data serves to enforce, exercise or protect legal claims.

It is not sufficient for you to object to a certain processing of data without stating special reasons.

Origin of data, categories of personal data

We generally collect your personal data directly from you.

In certain cases it is possible, however, that we receive your data from third parties:

- We receive data on injured third parties also from our policyholders or other third parties (e.g. witnesses, authorities, legal and investigation files, if applicable, other insurance companies).
- Where **post is returned**, we employ specialised service providers to research addresses in order to find out the current address.
- We receive data on **insured and/or co-insured persons** via our policyholders if we are unable to collect the data directly from these persons.

In connection with this we collect your name and, if applicable, also your address and date of birth. We collect the data necessary to submit the claim directly from you as the data subject.

- We receive data on **beneficiaries or recipients** from our policyholders. We receive your name, address, if applicable also your date of birth, in order to be able to contact you when submitting your claim.
 - In connection with vehicle insurance, we receive the data from any deviating owners from our policyholder. In connection with this we collect your name, contact details, your vehicle details and, if applicable, your date of birth.
 - We receive data on **witnesses** from our policyholder or other parties involved (e.g. investigation and prosecution services). To do this we receive your name, your contact details and the necessary information on the facts of the respective case.
 - In the case of **credit checks**, we receive credit information from specialised credit agencies. You can find more information regarding this in this document under the section "When do we collect information about your creditworthiness?".
 - If you submit data via your broker to us (e.g. requests for proposals, applications or similar), we receive your data from your agent.

Who do we transfer your data to?

In the context of processing the claim, a data transfer to third parties may take place in some cases. In particular, this could be:

a) Our policyholder

In individual cases, we are legally permitted and obligated by contract to provide evidence to our policyholder about the claims we process. This applies in particular, for example, if our policyholder wishes to check whether we have rightly settled damage claims to a certain amount and this has an impact on his no-claims bonus.

b) Reinsurers

In certain cases, e.g. where there are high risks or high losses, we pass on part of the risks assumed through the contract to **reinsurers**. In this case, it may be necessary to provide the reinsurer with corresponding underwriting information.

The data transfer to reinsurers is made in the framework of a general balancing of interests. In the case of a high financial default risk, R+V ensures the risk fully or partly with reinsurers in order to minimise their own risk. If, by way of exception, it is necessary to also transfer health-related information to reinsurers, we will obtain separate consent from you.

c) Insurance brokers

If applicable, we will pass on any general contract and claims data to the relevant insurance broker which is necessary for him to consult and support.

The data transfer to insurance brokers is made in the framework of a general balancing of interests. If, by way of exception, it is necessary to also transfer health-related information to brokers, we will obtain a separate consent from you.

d) Data transfer to other insurers

In connection with claims management, it could be necessary to exchange information with a **previous insurer** in order to verify the specifications of the claimant or insured person.

In certain cases, e.g. multiple insurance, statutory subrogation, and in the case of division agreements, personal data has to be exchanged between insurers. In this process, the following data of the person concerned is transferred: name and address, vehicle licence plate, type of insurance protection and risk, or information on the claim, such as date of claim and amount of claim. The data exchange is documented.

In cases of a joint risk policy, data will be exchanged with the insurers concerned in order to check the risk and process the claim.

In these cases too, the data transfer to other insurers takes place in principle within the framework of a general balancing of interests and in some cases on the basis of a consent that we have obtained separately from you.

e) Central information systems

Within the context of the processing of claims, data on the object insured (vehicle identification data or address of the building) as well as, if necessary, information about you (surname, first name, date of birth, address, previous addresses) is transmitted to informa HIS GmbH (HIS inquiry). On the basis of this data, informa HIS GmbH checks whether information is stored in the Hinweis- und Informationssystem [reference and information system] (HIS) regarding your person and/or your insured object that could indicate an increased risk or irregularities in an insured event. Please find more details on this in the appended annex "Information HIS". A detailed description of the HIS can be found online at www.informa-his.de.

Recording in the HIS and the use of this are intended only for purposes which may legitimately be pursued using the system, i.e. only if certain criteria are fulfilled. In these cases, the data transfer is made on the basis of a general balancing of interests. Not all companies of the R+V Insurance Group participate in the HIS.

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, e.g. 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. For this reason, we report vehicles to the HIS if they are written off, have been stolen, or if claims have been settled without proof of repair.

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 will notify you of this.

When examining your application for insurance or settlement of a claim, we send queries regarding a person or object (e.g. a vehicle) to the HIS and save the results. In an insured event, the HIS may request that we ask for further details of the facts 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 a subsequent insured event 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, e.g. contracts with unusually frequent legal protection claims. If we report you to the HIS, we will inform you of this. When examining your application for insurance, we send queries regarding you to the HIS and save the results of the enquiry. If we receive an indication of risk-increasing peculiarities, it is possible that we may require additional information from you on the specific grounds of the report.

If it is necessary to clarify the facts, it is possible that data may also be exchanged in the insured event between the party reporting in the HIS and the insurance company requesting the information. The data exchange is documented. The parties concerned will be informed about the exchange unless it is performed to clarify contradictions.

f) Vehicle registration office

It may be necessary to exchange personal data with the vehicle registration office, previous registrant or the federal vehicle office in order to settle the claim.

g) Contractors and service providers

You can view lists of the contractors and service providers with whom we have permanent business relationships online at www.code-of-conduct.ruv.de.

On request, we will gladly send you a printout of these by post. For this purpose please contact: R+V Versicherung, Datenschutz, Raiffeisenplatz 1, 65189 Wiesbaden, Email: datenschutz@ruv.de

A transmission of functions applies from a data protection perspective, if no strictly bound “support functions” have been passed on to service providers, but rather service providers carry out far-reaching tasks with a certain amount of independence. Typical examples of these are experts, auditors or medical service providers in the assistance sector.

If you are able to prove that because of your personal situation your legitimate interest outweighs that of the insurance company transferring the data, you have in the case of a transfer of function a right to object to the data transfer. An example: In connection with a preceding insurance case, a legally binding court ruling determined that a certain expert incorrectly assessed your circumstances. In the particular case, a risk of repetition cannot be ruled out. By contrast, it is not sufficient for you to request, without stating special reasons, that no data transfer be made to service providers in general or to a particular service provider. You can find function transfers in the above-mentioned list of service providers.

h) Centralised data processing within the R+V Insurance Group

Within the R+V Insurance Group, individual areas are centralised, such as debt collection or data processing. In this way, your address, for example, may be saved only once even if you conclude contracts with different companies within the Group. Your insurance number, the type of contracts, if applicable, your date of birth, your bank details with IBAN and BIC as well as the mandate reference (in connection with the creditor identifier, this enables a clear identification of the mandate), are also stored in a central data file; this means your general application, contract and payment data.

Thereby the so-called master data, e.g. name, address, client number, IBAN, BIC and the mandate reference, insurance policy number and comparable identification data can be accessed by all companies within the Group. This means that incoming mail can always be allocated correctly and in the case of telephone inquiries, these can be immediately designated to the responsible contact person. In this way, in event of doubt, cash receipts can also be entered correctly without query.

The remaining general application, contract and claims data, however, is only retrievable by the responsible group company.

Data can be transferred between the following companies within the R+V Insurance Group:

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 Luxembourg Lebensversicherung S.A., Wiesbaden branch
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*
UMBI GmbH*

* This company is a service provider of the participating companies of the R+V Insurance Group and can therefore access personal data.

You can view the respective up-to-date list of companies participating in the centralised data processing at www.code-of-conduct.ruv.de. We will be glad to send you a printout of these lists on request. For this purpose, please contact our Data Protection Officer.

i) Lessors and lenders

If you conclude property insurance with R+V in the context of leasing or loan contracts, the lessor and/or lender will be informed on request that corresponding insurance protection exists and that in relation to terminations, default of payment and insured events, it is covered as the third-party beneficiary. It also receives information on insured sums and existing excesses so that it can assess its financial default risk.

j) Authorities

We only pass your personal data to authorities if we are legally or contractually entitled or obligated to. Such a data transfer may occur at the request of an authority, for example. In this case, we check to see if the authority is permitted to receive the data. In other cases we are legally obliged to transfer your data to authorities (e.g. for tax reasons). In certain cases it could be necessary for us to get consent from you.

Transfer of data to third countries outside the EU/EEA

If it is necessary, we transfer your personal data to service providers in third countries outside the EU/EEA (e.g. in the context of IT support services). When selecting companies and making contractual arrangements, we comply with the legal regulations.

With certain contract types, it is also possible that we may transfer your data to reinsurers or similar in third countries.

Moreover, there are in certain cases statutory reporting obligations according to which we are obliged to transfer your data to authorities and similar bodies abroad.

Also in the case of legal disputes containing a foreign element, it could be necessary to make such a transfer. If in an individual case, we need your consent for this, we will ask you separately.

How long do we store your data?

Where necessary, we process and store your personal data for the duration required for claim processing.

In addition to this, we are subject to various retention and documentation obligations. These arise, among other things, from the German Commercial Code (HGB), the German Tax Code (AO), the German Insurance Contract Act (VVG) and the German Money Laundering Act (GwG). The time limits for storage and/or documentation prescribed therein are two to ten years.

The period of storage is assessed according to the statutory periods of limitation, which, for example, according to § 197 et seqq. of the German Civil Code (BGB) can be up to thirty years. The regular period of limitation according to § 195 BGB is three years.

You can find further information on our deletion periods online at <https://www.ruv.de/static-files/ruvde/downloads/datenschutz/loeschfristen.pdf>

We will gladly also send you the list by post. For this purpose, please contact our Data Protection Officer.

What rights do you have?

You may request information about the data stored relating to you. In addition, you may demand the correction of your data if it is incorrect or incomplete. Claims to erasure or the restriction of processing your data may exist if its collection, processing or use turns out to be inadmissible or no longer necessary. You can assert these rights with our Data Protection Officer.

Collecting data without involvement of the data subject

Insofar as you give us, in your capacity as policyholder, personal data of third parties (e.g. insured persons, beneficiaries, injured parties, witnesses etc.), you are obligated to inform them about this by sending them this leaflet. This also applies regardless of whether the insurance company itself has an obligation to inform.

When do we collect information about your creditworthiness?

In certain cases, in connection with a claim, R+V will pass on necessary information (surname, Christian name, company name, address, date of birth) to credit agencies employed for this purpose, in order to receive information on your previous payment history and creditworthiness using a mathematical-statistical procedure and your address details.

If applicable, creditworthiness information is collected by R+V Allgemeine Versicherung AG for reasons of legitimate interest when concluding or implementing these insurance contracts with a view to an existing financial risk with the bond insurance, credit insurance and fidelity insurance.

If you wish to obtain information on your personal data stored by the credit agency, please contact the commissioned credit agency directly.

Automated individual decision-making, including profiling

As an insurance company we are authorised, in certain case groups (e.g. for decisions based on the mandatory charging system for medical treatments such as GOÄ (German Scale of Medical Fees)), to take your personal data (if applicable, also your health-related data) as a basis for an “automated decision”.

Should we be unable to fulfil your application for insurance provision or for **damage compensation** in full or in part, you have the following rights:

- Right to obtain the intervention of a person by courtesy of us as the controller,
- Right to present your own standpoint and
- to challenge the decision.

However, in the case of a decision not being granted, you will be informed specifically about your above-mentioned rights.

In certain cases, we also take your personal data into account as part of a mathematical-statistical procedure (profiling). In the interest of our community of insured persons, we check in particular in accordance with § 100 VVG whether claims for damages asserted are founded.

Right of appeal

In addition, you have a right of appeal to a competent data protection authority (Article 77 GDPR).