

Aspen Group External Privacy Notice

Aspen's commitment to your privacy

Aspen is committed to protecting and respecting your privacy rights and will comply with all applicable data protection and privacy laws. This Notice tells you about the use that Aspen makes of the personal information we hold about you, how we collect certain personal information, under what circumstances we may share or otherwise use the information and to whom we may disclose it.

This Notice applies to prospective policyholders, current and former policyholders, beneficiaries (including employees of our insureds), third party claimants, brokers, expert witnesses, experts and other third parties who we provide services to and users of Aspen's websites.

This Notice makes clear that, subject to applicable local laws, the personal information Aspen holds about you will be:

- used lawfully, fairly and in a transparent way;
- collected and processed only for specific, explicit and legitimate purposes;
- adequate, relevant and limited to the purposes we have told you about;
- accurate and kept up to date;
- kept only as long as necessary; and
- kept securely.

Your data will not be sold to any third party.

Your rights

You have the right to access personal data we hold about you and to request correction, rectification or erasure of such personal data, or to request its transfer. You may also object to the processing of your personal data or request the restriction of processing of your personal data. Aspen has implemented a number of internal policies and processes to support these rights and to ensure that we can meet valid requests in line with the requirements of the GDPR or other applicable local laws. Aspen does not discriminate on the basis of having exercised these rights.

If you wish to invoke any of these rights, you may address your requests to Aspen's Group Data Protection Officer at: dpo@aspen.co. California residents may also submit requests via our [California Consumer Privacy Act Request Portal](#) or by calling 1-888-502-0625. Only you or someone that you authorize to act on your behalf may submit these requests. Your request must provide sufficient information for us to reasonably verify that you are the person about whom we collected personal information and sufficient detail to allow us to properly understand, evaluate and respond to your request.

In response to such request, we may also ask you to verify your identity or to provide additional information that helps us to understand your request better. Once we have the necessary information from you and your request is valid, we will respond to you within one month (45 days for California Consumer Privacy Requests) of the receipt of a request unless the number and complexity of the requests made is deemed sufficiently high, in which case we may extend this time by a maximum of further two months (45 days for California Consumer Privacy Requests). We will inform you if we need to make use of this additional time and why we need to do so as soon as is practicably possible.

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These rights are not absolute and we will let you know if we determine that there is a legal basis preventing us from honouring your request.

About the insurance market

Insurance involves the use and disclosure of your personal data by various insurance market participants such as intermediaries, insurers and reinsurers. The [London Insurance Market Core Uses Information Notice](#) sets out those core necessary personal data uses and disclosures. Our core uses and disclosures are consistent with the London Market Core Uses Information Notice (irrespective if you have a Lloyd's or non-Lloyd's policy), except as identified below, and we recommend that you review this notice.

What personal data do we collect about you?

The personal data we collect (also known as PII), how we collect it, how we will use it and who we will share it with will depend upon a number of factors including, but not limited to:

- whether you are a prospective policyholder who then declines to take up the offer of insurance;
- if you are a current or former policyholder;
- whether you have made a claim; and the complexity of any claim(s) made.

We may collect information from you or your representative, including agents and brokers, that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with you. We may also share this information with Third Party Suppliers for a legal business purpose. In particular, we may collect some of all of the following categories of personal information:

- Identifiers (PII) such as name, alias, address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license or state identification card number, passport number, signature, physical characteristics or description, insurance policy information, financial information, medical information or other similar identifiers or personal information categories.
- Protected classification characteristics (SPII) such as age, race, ethnicity, ancestry, national origin, citizenship, political opinions, religious or philosophical beliefs, trade union membership, marital status, medical condition, disability, sex (including gender, gender identity, gender expression, pregnancy/childbirth and related medical conditions), sexual orientation, veteran or military status, biometric or genetic information and criminal convictions.
- Commercial information, including records of products or services purchased, obtained or considered, or other purchasing or consuming histories or tendencies.
- Biometric information.
- Internet or other electronic network activity regarding your interaction with our Internet Web site, application or advertisement.
- Geolocation data.
- Audio, electronic, visual, thermal, olfactory or similar information.
- Professional or employment-related information.
- Educational information.
- Inferences drawn from any of the information identified above.

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How do we collect personal data about you?

We collect PII about you through our underwriting and claims processes, either directly from you or via:

- your family members, employer or representative such as an insurance broker;
- other insurance companies;
- credit reference agencies;
- anti-fraud databases, sanctions lists, court judgements and other publically available databases;
- government agencies such as the DVLA and HMRC;
- auditors;
- open electoral register; or
- in the event of a claim, third parties including the other party to the claim (claimant / defendant), witnesses, experts (including medical experts), loss adjustors, solicitors, and claim handlers.

Where you provide personal information to us about other individuals (for example, family members who are a named beneficiary under your policy) you should refer them to this Notice before supplying us with their data on their behalf.

Why do we ask for this information?

All of the information you provide during the policy administration process will only be used for the purpose of enabling us to provide insurance services to you, including providing you with a quote and then insurance, and dealing with any claims or complaints that might arise, or to fulfil legal or regulatory requirements, if necessary.

In the event that we quote for a policy, you become a policyholder, have a claim or complaint, the information we collect about you will be used for the following purposes:

- quotation and inception purposes;
- to set you up as a client, including fraud, credit and anti-money laundering and sanctions checks;
- evaluating the risks to be covered and matching to appropriate policy / premium;
- policy administration;
- collection and refund of premiums;
- general client care, including communicating with you regarding administration and requested changes to your policy;
- sending you your policy documentation;
- claims processing;
- managing insurance claims;
- defending or prosecuting claims on behalf of our insureds, or Aspen Group;
- investigating and prosecuting fraud;
- contacting you in order to renew your insurance policy;
- Insurance lifecycle;
- general risk modelling and underwriting;
- complying with our legal or regulatory obligations; and
- transferring books of business, company sales and reorganisations

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What is the legal basis for processing your data?

Under current legislation for any Aspen jurisdiction other than Australia or Singapore, Aspen may collect, store, transfer and process data under a number of different bases. These bases are explained, in summary, in the table below; please note that other locally permissible legal basis of processing are available but which are not required to be detailed in the table. If you have any queries in relation to the legal basis of processing for specific purposes, please contact the Group Data Protection Officer via email at dpo@aspen.co.

Basis	Description	Example
Legal Obligation	Aspen can rely on this lawful basis if we need to process the personal data to comply with a common law or statutory obligation.	Aspen needs to process personal data to comply with its legal obligation to ensure that the complaints handling process is in line with UK regulation (FCA rules). Compliance uses personal data as a referral point to check that response letters, handling times and escalation are all managed appropriately and in keeping with applicable regulation.
Performance of a Contract	Aspen can rely on this lawful basis for processing if it needs to process an individual's personal data to fulfil its contractual obligations to them; or because they have asked Aspen to do something before entering into a contract. The processing must always be necessary.	Aspen needs to process personal data to fulfil fundamental contractual obligations such as processing claims as part of the claim notification, claim negotiation and claim settlement procedures.
Legitimate Interest	Aspen can rely on this lawful basis if the processing is necessary for Aspen's legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. Please note this legal basis does not currently apply in Australia or Singapore.	It is in Aspen's legitimate interests to assess the size and validity of a claim as part of the claims adjustment of loss process.
Vital Interest	Aspen can rely on this lawful basis if the processing is necessary to protect someone's life.	The disclosure to emergency assistance providers of the individual's personal data (including their name and any known medical condition) is necessary in order to protect his/her vital interests, as the disclosure expedites emergency assistance / treatment.
Legal Claim	Aspen can rely on this lawful basis if the processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.	Aspen may need to litigate in certain situations to protect the legal position of its insureds, as well as our legal position, brand and reputation.

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Explicit Consent	<p>Consent is a further lawful basis for processing, and explicit consent can also legitimise the processing of Special Category Data. Consent may also be relevant where the individual has exercised their right to restriction, and explicit consent can legitimise automated decision-making and overseas transfers of data. Consent should be obvious and require a positive action to opt in. Consent requests must be prominent, unbundled from other terms and conditions, concise and easy to understand, and user-friendly.</p> <p>Please note that, in the event Aspen seeks your consent, we will provide you with full details of the information that we would like and the reason we need it so that you can carefully consider whether you wish to consent. We will also inform you about the fact that you can revoke your consent at any time without affecting the lawfulness of processing based on consent before its withdrawal and how you should do that.</p>	<p>Consent may be requested when Aspen processes Special Category Data, for example in third party claims processes.</p> <p>Note: consent is not required when processing Special Category Data for insurance purposes under the UK Data Protection Act 2018.</p>
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We will only use your PII for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your PII for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

If you are in Australia, the legal bases referred to above do not apply, and we will only collect your personal information in Australia if it is reasonably necessary for, or directly related to, one of our functions or activities. We will seek your consent before collecting any sensitive information about you. We may use or disclose the personal information we collect about you for one or more of the purposes described in this Notice, or for any related purpose if we believe you would reasonably expect us to use or disclose your personal information for that purpose. We may also use and disclose your personal information with your consent, or where we are otherwise required or permitted by Australian law to do so.

What will we do with the information you provide to us?

As required by applicable data protection and privacy law, Aspen has physical, electronic and operational security procedures intended to safeguard and secure the information we collect throughout the lifecycle of that information. All Aspen staff have a legal duty to respect the confidentiality of information and access to confidential information is restricted to only those who have a reasonable need to access it.

In the course of providing services to you Aspen may engage, and disclose your data to, a number of Third Party Suppliers, e.g. Claims Handlers, in connection with services provided by them. At all times, Aspen will require that the personal data is processed in accordance with our instructions and in circumstances which require the recipient to observe industry standard security measures in respect of personal data. We do not allow our Third Party Suppliers to use your personal data for their own purpose.

Aspen may also be under a duty to disclose or share your personal data in order to comply with a legal or regulatory obligation, where such disclosure is required by applicable tax or social security authorities, the U.S. Securities and Exchange Commission (SEC), the Financial Conduct Authority (FCA), the Prudential Regulation Authority (PRA), the Bermuda Monetary Authority (BMA) or similar Regulatory body, the police or a court of competent jurisdiction.

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We may also share your personal information with other entities within the Aspen Group as part of delivering services to you, our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, or for system maintenance support and hosting of data.

We may also share your personal information with other third parties, for example, in the context of a possible sale or restructuring of the business or a part of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes, subject to any legal or regulatory obligation where such data cannot be anonymised. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

Aspen will not sell, disclose or transfer personal data about you to third parties (including Third Party Suppliers) for the purposes of marketing.

The personal data that we collect about you may be transferred to, and stored at, one or more countries outside the EEA or outside the jurisdiction in which you reside. It may also be processed by staff operating outside the EEA (or outside the jurisdiction in which you reside) who work for Aspen or for our Third Party Suppliers. In such cases, Aspen will take appropriate steps to ensure an adequate level of data protection in the country of the recipient as required under the GDPR (or as required under local laws in your jurisdiction) and as described in this Notice. You can obtain information and a copy of documentation pertaining to these safeguards from Aspen's Group Data Protection Officer where applicable (email: dpo@aspen.co). If Aspen cannot ensure such an adequate level of data protection, your personal data will only be transferred outside the EEA (or outside the jurisdiction in which you reside) if you have given your prior consent to such transfer and any local law requirements for the transfer have been satisfied. Your personal data is currently processed in Aspen's operating jurisdictions (including the UK, US, Bermuda, Ireland, Dubai, Singapore, Switzerland and Australia) and India.

We do not make any decisions about you using automated means (without human review), however we will republish this Notice if this position changes.

How long is the information retained for?

The length of time for which your data will be retained will depend on a number of factors, including but not limited to:

- your relationship with us and the types of products /services you have with us;
- the length of time it is reasonable to keep records to demonstrate that we have fulfilled our obligations to you under the law;
- limitation periods within which claims might be made;
- any retention periods prescribed by law, by regulators, professional bodies or associations; and
- the existence of any relevant proceedings.

Aspen seeks to minimise the time it retains data in line with the requirements of the GDPR or any local laws that apply in your jurisdiction, and maintains a comprehensive Retention and Disposition Policy in order to achieve this aim. This policy can be obtained from Aspen's Group Data Protection Officer on request at: dpo@aspen.co.

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Complaints or queries

For the purposes of the data protection legislation, the company responsible for your PII (i.e. the data controller) is the Aspen Group company stated in your contract of insurance. If you have any questions on this Policy, please contact Aspen's Group Data Protection Officer at Plantation Place, 30 Fenchurch Street, London, EC3M 3BD or via email at: dpo@aspen.co.

Where you are dissatisfied with any aspect of our handling of your personal data, you have a right to lodge a complaint with the relevant authority responsible for data protection in your jurisdiction. For details of the relevant authority in your jurisdiction, please [click here](#).

Changes to this Notice or to your PII

Aspen reserves the right to change this Notice at any time without notice to you. Any changes we may make to this Notice in the future will be posted on Aspen's web site and you are advised to regularly check and review the Notice to ensure you understand how we may be processing your personal data. Any changes Aspen may make to this Notice (which will, unless otherwise indicated, apply to any personal data already obtained by Aspen before the changes were made) will be effective from the date on which those changes have been posted on this page.

It is important that the personal information we hold about you is accurate and current. Please keep us informed of any changes to your personal information during your relationship with us.

This Notice was last updated on 9 December 2019.

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Definitions used in this Notice

"**Aspen**" means the Aspen entity which provides you with services.

"**Aspen Group**" means Aspen Insurance Holdings Limited and its subsidiaries and subsidiary undertakings, and any holding company or parent undertaking of the Company and all other subsidiaries and subsidiary undertakings of any holding company or parent undertaking of the Company, in each case, as at the date of this Policy, where "holding company", "parent undertaking", "**subsidiary**" and "**subsidiary undertaking**" have the meanings given to them in the UK Companies Act 2006.

"**EEA**" means European Economic Area

"**GDPR**" means the General Data Protection Regulation ((EU) 2016/679) and any national implementing laws, as amended or updated from time to time.

"**PII**" means personally identifiable information.

"**Special Category Data**" means personal data that reveals:

- racial or ethnic origin;
- political opinions;
- religious and philosophical beliefs;
- trade union membership;
- genetic data;
- biometric data;
- health data; and
- sex life and sexual orientation.

"**Notice**" means this Privacy Notice

"**Third Party Suppliers**" means third party service providers (including contractors and designated agents).