



**O'LEARY**  
INSURANCE GROUP



# PRIVACY NOTICE



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## 1. GENERAL

From an initial complement of three staff in 1961 with founding Chairman, the late Archie O'Leary, O'Leary Insurances Limited (hereafter O'Leary Insurances), has successfully grown and developed into an Insurance Brokerage which specialises in providing a high level of customer service. O'Leary Insurances provides a comprehensive insurance broking service to all industry sectors. As part of this insurance broking service, we have consistently maintained our strong emphasis on professionalism and personal attention through all of our products, building on our hard-earned reputation for dependability and commitment.

More information about O'Leary Insurances can be found at [www.olearyinsurances.ie](http://www.olearyinsurances.ie)

## 2. PRIVACY NOTICE

This Privacy Notice (together with our Terms of Business) sets out the basis of how any personal data we collect from you, or that you provide to us or we source from trusted third parties will be processed by O'Leary Insurances.

## 3. GDPR

On the 25th May 2018 the European Union (EU) is introducing a new regulation, the General Data Protection Regulation (GDPR). A key reason for this new law is to strengthen data protection for all within the EU. O'Leary Insurances is a Data Controller under the GDPR. O'Leary Insurances is committed to ensuring personal data shall be:

- processed lawfully;
- collected for specified, explicit and legitimate purposes and is not processed in a manner that is incompatible with these purposes;
- adequate, relevant and limited to what is necessary in relation to purposes for which it is processed;
- accurate and kept up to date;
- kept for no longer than is necessary; and
- is secure.

O'Leary Insurances is committed to respecting and protecting your privacy.

## 4. DATA PROTECTION OFFICER

O'Leary Insurances has a Data Protection Officer. If you would like to contact our Data Protection Officer with any queries or comments in relation to your personal data, please:

Send an email to:  
[dataprotectionoffice@oli.ie](mailto:dataprotectionoffice@oli.ie)

Send a letter to:  
The Data Protection Officer  
O'Leary Insurances Limited  
Lough Mahon House, Blackrock, Cork. T12 C43C.

Call us on:  
+353 21 453 6 800

## 5. WHY DOES O'LEARY INSURANCES COLLECT MY DATA?

In order to provide appropriate advice and perform transactions on your behalf with Product Producers (Insurance Companies), we need to collect and store personal data, including sensitive information, if applicable. This information supplied by you will be used by us to understand your needs and objectives and to enable us to provide specialist advice to you on the products and/or services available to suit your specific requirements. This information may also be used for the performance, administration and management of contracts with Product Producers to which you are a party including pre-contract and claim stage. We are committed to ensuring that the information we collect, and use is appropriate for this purpose, and does not constitute an invasion of your privacy.

## 6. DATA COLLECTION

In order to ensure we have a complete understanding of your insurance needs and your personal circumstances we may obtain your personal information from a number of sources:

- you, the potential customer;
- you, the current customer;
- persons who may represent you (if applicable);
- insurance companies;
- other brokers from within the O'Leary Insurance group of companies;
- from searches of trusted and industry approved databases to enrich your application (vehicle details, claims);
- from trusted third parties where we might be investigating a claim on your behalf (claimants, witnesses, solicitors, claims specialists).

When submitting an application to us for a product, you may provide us with information relating to other persons named under the policy, (e.g. a named driver). You agree that you will bring this Privacy Notice to the attention of each person named on the policy at the earliest possible opportunity. Please also ensure that anyone else who is insured under your policy has agreed to provide their personal information to us.

## 7. TYPES OF DATA COLLECTED

Data collected may vary depending on the Product Producer requirements. If you are ever concerned about data someone in O'Leary Insurances has requested from you, please do not hesitate to contact our Data Protection Officer, details of which are set out in Section 4 of this Notice. Types of data collected include the below but not limited to:

### *Insurance Policy Data*

Name, Address, Occupation, Date of birth, Gender, Contact details, Nationality, Length of residency in Ireland, Drivers Licence Details, Penalty Point information, details of accidents/claims/convictions, details around whether you ever had insurance declined/cancelled or special terms imposed, No Claims Bonus history, Name of Current Insurer, Current Renewal Premium, Renewal Date, type of bonus protections, marketing preferences, etc.

### *Data Sourced from Others*

Claims history, vehicle details and internet searches for house location etc.

### *Claims Data*

Details of any injuries, details of health issues, data relating to court proceedings etc.

### *Credit Finance Data*

PPSN, Verification documents for any PPSN submitted.



## 8. THE LEGAL BASIS FOR PROCESSING

O'Leary Insurances will process (collect, use and store) the information you provide in a manner compatible with the EU's GDPR.

The table enclosed sets out the legal bases for data processing activities of your personal data.

<b>LEGAL BASIS FOR PROCESSING</b>	<b>Compliance with a Legal Obligation</b>	<b>Performance of Contract</b>	<b>Legitimate Business Interests</b>	<b>Consent</b>	<b>Public Interest</b>
• To verify your (or your representative's) identity	✓				
• To verify the accuracy of the information we receive		✓			
• To assess your insurance needs	✓	✓			
• Providing a quotation		✓			
• To manage & administer your policy	✓	✓			
• To manage & investigate claims	✓	✓			
• For Marketing Purposes				✓	
• For managing & investigating complaints	✓	✓			
• Governance functions like managing risk, seeking legal advice & auditing	✓		✓		
• Prevention & detection of fraud	✓		✓		✓
• For compliance with relevant laws and regulations including sharing information with the Data Protection Commission, the Financial Services Ombudsman, the Central Bank of Ireland.	✓				
• To record calls for security, training & quality purposes			✓		
• To engage in activities to improve our services in order to allow the O'Leary Insurance group of companies to deliver our business strategy and grow our business			✓		

## 9. SPECIAL CATEGORIES OF PERSONAL DATA

If it is deemed necessary to collect any special categories of personal data, such as health details or information relating to criminal convictions, we will ensure we will only process what is necessary and proportionate for the purposes of providing an insurance product.

## 10. WHO ARE WE SHARING YOUR DATA WITH?

In our capacity as your insurance intermediary, the information you supply to us may be shared in confidence with:

- trusted third party service providers appointed by O'Leary Insurances to help us to process data to execute transactions on your behalf;
- trusted Product Providers with whom you may wish to enter into a contract with;
- any agent authorised by you to act on your behalf;
- regulatory bodies; and
- other companies within the O'Leary Insurance group.

Any third parties that we may share your data with are required to keep your details secure, and to use them only to fulfil the service they provide.

If you hold insurance against a liability that may be incurred by you against a third party, where for whatever reason you cannot be found or you become insolvent, or the court finds it just and equitable to so order, then your rights under the contract will be transferred to and vested in the third party even though they are not a party to the contract of insurance. The third party has a right to recover from the insurer the amount of any loss suffered by them. Where the third party reasonably believes that you as policyholder have incurred a liability the third party will be entitled to seek and obtain information from the insurer or from any other person who is able to provide it concerning:

- the existence of the insurance contract,
- who the insurer is,
- the terms of the contract, and
- whether the insurer has informed the insured person that the insurer intends to refuse liability under the contract.

## 11. RETENTION

To provide appropriate advice and perform transactions on your behalf with Product Producers, we need to collect and store personal data, including sensitive information, if applicable. We are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of your privacy. It is our aim to only hold data for as long as is necessary unless otherwise required under applicable law.

## 12. DATA SECURITY

O'Leary Insurances has appropriate measures in place to ensure that users' personal details are not misused, accidentally destroyed, lost or altered when we process your data either by electronic or paper means.

Occasions will arise when customer information is passed outside O'Leary Insurances to our trusted third party suppliers, but they will only act upon instruction from O'Leary Insurances in order to perform the services required.

## 13. DATA SUBJECT RIGHTS

O'Leary Insurances ensures that we facilitate data subject's rights in line with our data protection policy and the subject access request procedure outlined in that policy.

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access: You have the right to request a copy of the information that we hold about you.
- Right of rectification: You have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten: In certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing: Where certain conditions apply to have a right to restrict the processing.
- Right of portability: You have the right to have the data we hold about you transferred to another organisation.
- Right to object: You have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling: You also have the right to be subject to the legal effects of automated processing or profiling.

As we have indicated in the processing of your personal data, should there be a third party involved, all of the above requests will be forwarded to the relevant third party



#### **14. WITHDRAW CONSENT**

If we are relying on your consent to process your data, you can withdraw this at any time. This does not affect the lawfulness of processing based on your consent before its withdrawal.

#### **15. COMPLAINTS**

In the event that you wish to make a complaint about how your personal data is being processed by O'Leary Insurances (or third parties as described above), or how your complaint has been handled, you have the right to lodge a complaint with the Data Protection Officer of O'Leary Insurances and/or with the Data Protection Commission.

#### **16. FAILURE TO PROVIDE FURTHER INFORMATION, IF NEEDED**

If we are collecting your data for a statutory requirement or to fulfill a contract of insurance and you cannot provide this data, the consequences of this could mean the contract cannot be completed.

#### **17. AUTOMATIC DECISION MAKING**

As part of securing the best quotation for you, an element of our assessment of your application for insurance is carried out using automated decision making. The results of the automated decision making may limit the products or services that we can provide to you. Where you have any concerns, you are entitled to speak to a member of our staff.

#### **18. UP TO DATE INFORMATION**

In order to ensure our records are up to date and accurate or should you wish to amend any personal records, please contact us using the contact information set out in Section 4 of this Notice.

#### **19. MARKETING**

If you have consented to receiving but no longer wish to receive direct marketing from O'Leary Insurances, please contact us using the contact information set out in Section 4 of this notice

#### **20. QUESTIONS REGARDING THE PRIVACY NOTICE & CONDITIONS OF USE**

If you have any questions about our Privacy Notice, or any concern about privacy at O'Leary Insurances, please do not hesitate to contact us using the contact information set out in section 4 of this Notice. This is not a contractual document, and it does not create any rights or obligations on either party beyond which already exist under Data Protection law.

#### **21. CHANGES TO THIS STATEMENT**

We encourage you to check back here from time to time as we may make changes to this Privacy Notice. When such a change is made, we will post a revised version online. It is your responsibility to review this Privacy Notice periodically so you're aware of any changes. By using our services you agree to this Privacy Notice.

This Privacy Policy was last reviewed in September 2020.