

Please read this Privacy Notice carefully as this sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. By proceeding with our services you agree to the terms of this Privacy Notice.

Introduction McSharry Foley Ltd is committed to protecting and respecting your privacy. We wish to be transparent on how we process your data and show you that we are accountable with the EU's General Data Protection Regulation (GDPR) in relation to not only processing your data but ensuring you that you understand your rights as a client. It is the intention of this Privacy Notice to explain to you the information practices of McSharry Foley Ltd in relation to the information we collect about you. When we refer to 'we' it is McSharry Foley Ltd.

For the purposes of the GDPR the data controller is: (Name) McSharry Foley Ltd (Address) Stephen Street, Sligo

Who are we? We are Insurance Brokers. We provide advice, insurance quotations and arrange contracts of insurance and related payment transactions on behalf of clients in relation to general insurance products, including Motor, Property, Business and Liability Insurance.

Our GDPR Owner & data protection representative(s) can be contacted directly as follows:

(Name) **Siobhan McSharry**
(Email) **dataprotection@mcsharryfoley.ie**
(Tel) **0818 946677 (0818 WHOOPS) / 071 9142499**

Purpose for processing your data **Why we are processing your data? Our legal basis.**

In order for us to provide you with our general insurance broking services we need to collect personal data in order to advise you, provide you with insurance quotations and arrange any contracts of insurance or related payment transactions on your behalf with Insurers / Insurance Providers. Our reason (lawful reason) for processing your data under the GDPR is:

Legal basis – McSharry Foley Ltd needs to process your data as this is necessary in relation to a contract of insurance or related transaction to which the individual has entered into, or because the individual has asked for something to be done so they can enter into a contract of insurance, with an Insurer / Insurance Provider. In any event, 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.

How will McSharry Foley Ltd use the personal data it collects about me? We will process (collect, store and use) the information you provide in a manner compatible with the GDPR. We will endeavour to keep your information accurate and up to date, and not keep it for longer than is necessary.

Special Categories of personal data & data on criminal convictions and offences If we collect any special categories of personal data (e.g. health, religious beliefs, racial, ethnic origin – financial information is not classified as a special category)) – we will ensure the following:

Explicit consent – we will obtain your explicit consent as part of your request for an insurance quotation.

We only process special categories of personal data, and data on criminal convictions and offences including penalty points, where it is necessary to enable us to provide you with an insurance quotation as requested by you and, if instructed by you, for us to arrange a contract of insurance on your

behalf with the Insurer / Insurance Provider whom you have chosen.

Who are we sharing your data with?

1. Insurers / Insurance Providers: When you request an insurance quotation from us, we will need to share your personal data with the Insurers / Insurance Providers with whom we hold agency appointments. When you enter into a contract of insurance or related finance transaction with that Insurer / Insurance Provider they also become a controller of your personal data for the purposes outlined in their privacy policy. Further information on how they protect your personal data may be found in their privacy policy on their websites(s) and/or with their policy documentation for your contract of insurance. We may also continue to share your personal data with the Insurer / Insurance Provider to enable them to manage and administer your contract of insurance and / or related finance transaction, and for the prevention and detection of fraud.

2. Your Representatives: Any party that you have given us permission to speak to (such as a relative, friend or legal advisor) and in certain circumstances other people insured under your contract of insurance (such as a named driver or joint insured).

3. Government, Statutory and Regulatory Bodies: State regulators and authorities such as the Data Protection Commission, the Revenue Commissioners, the Central Bank of Ireland and the Financial Services & Pensions Ombudsman; Law Enforcement Agencies such as An Garda Síochána and the Criminal Assets Bureau. Industry bodies such as the Motor Insurers Bureau of Ireland and the Personal Injuries Assessment Board.

4. Business / Asset transfer: If we, or any of our business or assets, are the subject of a proposed transfer or sale, we may disclose personal data of our customers to the prospective transferee or purchaser; and on a transfer or sale, or in the event of a merger, reorganisation, receivership, winding up or similar event, the personal data of our customers will be one of the transferred assets.

5. Third Parties: We may need to pass and / or allow access to the system containing your personal data to third-party service providers contracted by us to provide us with: our Insurance Broker Software and Quotation System & e-Quote Trading Platform, our IT System Support & Maintenance, our Offsite Data Backup, our Telephone Communications and Offsite Recording & Backup, our Confidential Document Destruction, Compliance / Business Development / Systems & Marketing advice and Statutory Audit Services. Any such third parties are obliged to keep your details securely, and to use them only to fulfil the service that they provide to us. When they no longer need your data to fulfil this service, they will dispose of the details in line with our data protection policy. If we wish to pass your sensitive personal data onto a third party we will only do so once we have obtained your explicit consent t, unless legally required to do otherwise. If we transfer personal data to a third party or outside the EU we as the data controller will

ensure the recipient (processor or another controller) has provided the appropriate safeguards and on condition that enforceable data subject rights and effective legal remedies for you the data subject are available.

6. Right of third party to claim against the insurer (resulting from Section 21(3) of the Consumer Insurance Contract Act 2019).

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.

Data Subjects Rights

We facilitate you, our client, rights in line with our data protection policy and subject access request procedure. These are available on request. 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.

Right to judicial review: in the event that we refuse your request under rights of access, we will provide you with a reason as to why.

All of the above requests will be forwarded on should there be a third party involved as we have indicated in the processing of your personal data.

Additional information we are providing you with to ensure that we are transparent and fair with our processing

Communication We may contact you by post, phone, email or text in relation to your contract of insurance or related finance transaction; and by phone, email or text to assist you with your quotation; and by post, email or notices on our website(s) to provide you with information. By proceeding with your quotation, contract of insurance or related finance transaction, you agree to this contact. All inbound and outbound telephone calls are recorded for regulatory, quality, training, and verification purposes.

Marketing We may contact you in relation to discounts, special offers, other products and services by post, email, text, phone, and other electronic means for marketing purposes. For non-customers, we rely on your consent to contact you and consent will always be provided in the form of a clear opt-in. You have the right to withdraw your consent at any time using our contact details as listed below. For existing or past customers, we rely on legitimate interest, being to develop and grow our business, to contact you for marketing purposes. We will also provide you with the option to opt-out at the point of data collection. You can use our contact details as listed below to opt-out of receiving future marketing communications.

Security We will take all steps reasonably necessary to ensure that your personal data is treated securely and in accordance with this privacy notice. We will use all reasonable efforts to put in place security measure to prevent your personal data from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to your website(s); any transmission is at your own risk. Once we receive your information, we will use reasonable procedures and security features try to prevent unauthorised access. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator for a breach where are required to do so.

Retention of your personal data Data will not be held for longer than is necessary for the purpose(s) for which they were obtained. McSharry Foley Ltd will process personal data in accordance with our retention schedule. This retention schedule has been governed by our regulatory body The Central Bank of Ireland and our internal governance.

Complaints In the event that you wish to make a complaint about how your personal data is being processed by McSharry Foley Ltd or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and McSharry Foley Ltd's Data Protection Officer/GDPR Owner.

Failure to provide further information If we are collecting your data for a contract of insurance and you cannot or do not provide this data the consequences of this could mean that the contract cannot be completed or details are incorrect or a claim is not paid under the contract of insurance.

Contact Us

Your privacy is important to us. If you have any comments or questions regarding this privacy notice, please contact us on:

(Email) dataprotection@mcsharryfoley.ie
(Telephone) 0818 946677 (0818 WHOOPS) / 071 9142499
(Address) McSharry Foley Ltd, Stephen Street, Sligo

McSharry Foley Ltd may change this privacy notice from time to time at any time without prior notice. When such a change is made, we will post a revised version on our website(s). Changes will be effective from the point at which they are posted. It is your responsibility to review this privacy notice periodically, so you are aware of any changes. You will also be provided with an up to date copy on next placing a new contract of insurance or renewing your contract of insurance with us.

UPDATED 1st SEPTEMBER 2020 (VERSION 5)