

# **The Fidelis Partnership Service Company Privacy Notice**

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## Summary

The Fidelis Partnership is a global (re)insurance managing general underwriter group. In the course of its business, The Fidelis Partnership acts as a controller of personal data. Personal data is information in the possession or control of The Fidelis Partnership that relates to its suppliers, customers, individuals who use our website, or individuals who otherwise have dealings with us ("you" or "your") and either identifies you on its own or is information that can be used to identify you when used in combination with other data we hold. Please read this privacy notice carefully and when using a Fidelis Partnership website, this notice should be read alongside that website's terms and conditions.

This privacy notice sets out how The Fidelis Partnership uses and protects any personal data it holds, including any personal data you provide us with when you use this Website or when you otherwise interact with any service entities in The Fidelis Partnership. This privacy notice does not apply to employees of The Fidelis Partnership or to situations where you are dealing with our insurance intermediary entities in The Fidelis Partnership directly. The Fidelis Partnership is committed to ensuring that any personal data it holds is processed fairly, held securely with privacy in mind, and permanently destroyed once there is no longer a legitimate business purpose to retain it.

In particular, the data protection laws that apply to The Fidelis Partnership include the EU General Data Protection Regulation as it forms part of retained EU law in the UK ("UK GDPR") and the Data Protection Act 2018 ("DPA 2018").

The Fidelis Partnership may make amendments to this privacy notice from time to time, including to reflect changes in our processing activities and changes in the law. Where we make any substantive changes to this privacy notice, we will notify you of these changes by email.

The Fidelis Partnership is comprised of a number of separate legal entities, each of which may act as the controller of your personal data in different circumstances. The data controller of your personal data will depend on the interaction you have with us or on the (re)insurance policy we have intermediated on behalf of our capacity providers.

If you are a supplier, an employee of one of our brokers receiving marketing or entertainment from us, or a business contact then Fidelis Marketing Limited, Pine Walk Capital Limited, Pine Walk Europe SRL or one of our appointed representatives will be the controller of any personal data that you provide to us.

If you are a broker, policyholder or other third party then one of the following will be the data controller(s) of your personal data and our [Insurance and Underwriting Privacy Notice](#) will apply to you:

- Pine Walk Capital Limited; and/or
- Pine Walk Europe SRL; and/or
- Shelf Opco Bermuda Limited; and/or
- One of our appointed representatives.

You may receive documentation that uses our trading name "The Fidelis Partnership", but the specific company which acts as the data controller of your personal data will also be listed in the documentation we provide to you.

If you are unsure about who the data controller of your personal data is, please contact us using the details set out in the “Contact us” section below.

For details on our use of cookies on our website, please see our [Cookie Policy](#).

## **What we hold**

We may process the following categories of personal data:

- Individual contact details, such as names, postal and email addresses, telephone numbers;
- Identification details, such as dates of birth and registration numbers (including passports/national insurance numbers);
- Information on your preferences and interests; and
- Your browsing behaviour whilst on our website through the use of cookies.

If you contact us we may also collect the following information:

- name and job title;
- contact information including email address;
- demographic information such as postcode and preferences;
- other information relevant to our services;
- other information relevant to your services or products;
- details of any complaint you have, how it was investigated and resolved and details of any compensation paid; or
- any other information you may provide.

In addition to collecting information directly from you, we may also collect information from other sources:

- sanctions checking services;
- sources which are publicly available such as internet search engines, news articles and social media sites; or
- our other businesses in The Fidelis Partnership.

## What we do with your data

Under applicable data protection laws, we are required to set out the lawful bases on which we process your personal data, as well as the purposes for which this processing is carried out. The lawful bases are:

- For **our legitimate business interests**, for example: to respond to any enquiries or complaints you send us; to maintain accurate records; to modify, personalise or otherwise improve our services and communications; to gather market intelligence; to support the communication and management of The Fidelis Partnership to run events; for training and quality purposes; or to enhance the security of our network and systems.
- To enter into or **perform a contract** with you, for example: where we need to process your personal data in order to provide you with payment for goods or services supplied to us; or to otherwise administer any contracts we enter into with you. If you do not provide us with the relevant personal data we may be unable to discharge our obligations under the contract or otherwise administer or give effect to it.
- To **comply with a legal or regulatory obligation** and protect our legal position in the event of legal proceedings, for example: to fulfil your data rights under data privacy laws; or to comply with requirements to prevent money laundering or rules set by our regulators.

We may process your personal data for the following purposes:

- to administer our products and services and facilitate transactions;
- to receive the service or product you're providing;
- to verify your identity for the provision of a product or service which you are supplying to us;
- for the purposes of responding to a request to exercise data subject rights;
- to manage our relationships with you and with our business partners;
- to manage our procurement process, any products or services we need for our operations and relationship with our suppliers;
- to market our services and products to you;
- to understand and respond to customer feedback;
- to understand the way people use our services and products so we can improve them;
- to assess and analyse our market, customers, products and services;
- to process payments and pursue and collect outstanding monies owed to us;
- to manage any disputes or claims, and take legal advice;
- for the apprehension and prosecution of offenders;
- to monitor for fraud and for the prevention or detection of crime;
- to manage our business generally, including dealing with our insurers, auditors, lawyers and other professional advisers;

- to analyse by means of cookies and similar technologies to enhance performance of our website and advertising; or
- to comply with our legal obligations.

We are required to satisfy an additional condition when we process **special categories of personal data** and **criminal conviction or offence data**. We do not collect special categories of personal data or criminal conviction or offence data about you, other than in limited circumstances described below:

We may process data concerning your health (a form of special category data) where it is necessary for the purposes of our substantial public interest, for example:

- for preventing or detecting unlawful acts; or
- to manage legal claims.

Very rarely, we may process such data where it is necessary to protect your life.

It is also possible that we will on occasion process special categories of personal data about you, where you expressly provide it or when this is inferred from data you provide to us, e.g. where you include it in any messages you send to us in relation to a complaint or query. Please avoid providing us with any special categories of personal information, such as that related to health, race, ethnicity or religion, other than when it is strictly required.

We will only process criminal conviction or offence data in limited circumstances, such as for the prevention or detection of unlawful acts or for the purposes of defending legal claims. The processing of this data will be carried out in compliance with applicable data protection laws and the applicable UK, European and/or local legislation on public security and terrorism prevention.

## Retention of your data

The Fidelis Partnership keeps personal data for a limited period. We will retain your personal data only for as long as is necessary to fulfil the purposes for which the information was collected, or as required by law.

We may also keep your personal information where necessary to establish, exercise or defend legal claims or to comply with our legal or regulatory obligations, but for a limited period and only for so long as is necessary for such purposes.

Should you require additional information regarding our retention periods for personal data please contact us at the details set out in the "Contact us" section below.

## Your rights

You may request details of personal information which we hold about you. In addition, you have the following rights in relation to the personal data that we process about you:

## Access

The right to obtain from us confirmation that your personal data is being processed, and to be provided with copies of your personal data.

## Rectification and Erasure

The right to rectification is your right to require the correction of incorrect or inaccurate personal data.

The right of erasure (often referred to as the "right to be forgotten") applies in a number of circumstances, including:

- the personal data is no longer needed for the purposes for which it was collected and used; or
- if you object to or withdraw consent to use the personal data and there is no overriding legitimate reason for us to keep the information.

## Restriction of processing

The right to ask us to restrict processing activities for some of your personal data, provided certain conditions apply:

- if you have challenged the accuracy of the personal data we hold, you can ask us to stop processing inaccurate personal data;
- if your personal data has been processed unlawfully;
- if you have exercised your right to object, you may ask us to restrict processing of the relevant personal data whilst we assess if our legitimate interests allow us to continue processing the personal data; or
- if we no longer need the personal data for the purposes of the processing activities we are using it for, but you require us to keep it in order to establish, exercise or defend a legal claim.

## Objection

The right to object to personal data being processed in certain circumstances, such as:

- for marketing purposes; or
- any processing based on our legitimate interests or carried out in the public interest, unless we can demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedom, or if such processing is required for the establishment, exercise or defence of legal claims.

## Data Portability

The right to transfer your personal data to a third party in a standardised machine-readable format.

## International transfers

The Fidelis Partnership uses shared group resources to ensure efficiency. Because of this, information about you may be transferred to, or may be accessible by, colleagues in other parts of The Fidelis Partnership group or third-party organisations.

Some of our suppliers are located overseas, including outside of the UK or European Economic Area, where local privacy and data protection laws may provide differing levels of protection than in your home jurisdiction. Where we send your personal data outside of the UK or the European Economic Area, we have put in place safeguards to ensure the security of your data, and also review our suppliers' safeguards. You can ask us for more information about and copies of the safeguards we have put in place. Contact us at the details set out in the "Contact us" section below if you would like further information.

## Third Parties

We may share your personal data with a number of third parties in order to effectively run our business, assist with our compliance with laws and regulations, or to receive expert advice.

We may share your personal data with the following categories of organisation:

- other companies in The Fidelis Partnership group for our general business purposes or where services are shared between our group;
- third party service providers/companies that provide services for us on our behalf, including IT services and mailing services, payment services, website hosting and SMS sending providers;
- our software providers who may use your information to provide you with the services you request, analyse and assess their market, customers, products and services;
- government agencies and departments and statutory and regulatory bodies where lawfully permitted or required or to verify or enforce compliance with the policies and terms governing our services;
- law enforcement authorities, including the police;
- our professional advisers, such as accountants, law firms, auditors and insurers;
- fraud prevention agencies and debt collection agencies; or
- prospective sellers, buyers or other third parties involved in the transfer, sale, reorganisation or merger of our business.

## Security

We are committed to ensuring that your information is secure. In order to prevent unauthorised access or disclosure, we have put in place appropriate physical, electronic and managerial procedures to safeguard and secure the information we collect online.

## Links to other websites

Our website may contain links to other websites that may be of interest to you. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy notice. You should exercise caution and look at the privacy statement applicable to the website in question.

## Marketing

You may choose to restrict the collection or use of your personal data for marketing purposes. If you have previously provided us with your personal information for marketing purposes, you may change your mind and stop receiving marketing at any time by writing to or emailing us at [dataprotection@fidelispartnership.com](mailto:dataprotection@fidelispartnership.com)

## Contact us

If you wish to request the details of any personal data we hold on you, or wish to exercise any of your data protection rights, please write to us at Data Protection, Fidelis Marketing Limited, 22 Bishopsgate, 42nd Floor, London, EC2N 4BQ or email us at [dataprotection@fidelispartnership.com](mailto:dataprotection@fidelispartnership.com).

## Complaints

If you are a supplier, an employee of one of our brokers receiving marketing or entertainment from us, or a business contact dealing with Fidelis Marketing Limited, Pine Walk Capital Limited, Pine Walk Europe SRL or one of our appointed representatives and you have any concerns or complaints around how The Fidelis Partnership are dealing with your personal data, or any request for information or complaint, you have the right to lodge a complaint with the supervisory authority in the European Economic Area (a list of the relevant data protection authorities can be found online [here](#)) or the Information Commissioner's Office in the UK. You may send a letter to The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or reach them via email here: [casework@ico.org.uk](mailto:casework@ico.org.uk).

We would be grateful for the opportunity to respond to your complaint first.