

EXPLORER INSURANCE SERVICES LIMITED

Client Agreement - How we are regulated

Explorer Insurance Services Limited, Suite 9, Chalkwell Lawns, 648-656 London Road, Westcliff on Sea, SS0 9HR
TEL: 01702 422570

Explorer Insurance Services Limited trading as Explorer Travel Insurance.

The Regulator

The Financial Conduct Authority (FCA) is an independent watchdog that regulates financial services. Our Financial Services Register number is 583108 and you can check our status and permissions at <https://register.fca.org.uk/> or by contacting the FCA on 0800 111 6768.

Our Activities

The FCA has authorised us to arrange, deal in and assist with the placing and administration of all types of General Insurance policies.

Our Service

We can act both as agent of insurer, and on behalf of you, the customer. We have in place management controls to deal with any conflicts of interest that might arise. Unless we advise you otherwise, we are acting on your behalf. We also act on behalf of insurers when collecting premiums under risk transfer (See "Money" section)

We will ask questions to enable us to assess reasonably your insurance requirements, this may include checking information that we already hold about you and your existing insurance arrangements with us and other parties. You will not receive advice or a recommendation from us. Having asked questions we will narrow down the selection of products that we can provide details on but you will then need to make your own choice about how to proceed.

We will confirm to you the level of service we are providing as part of our sales process. In all cases our service will include arranging and administering your insurance, including helping you with on-going changes. If we use the services of another intermediary to place your insurance we will advise you of the name of the intermediary we use and the name of the insurer

Our Product Selection (Single Insurer)

We only offer products from one insurer and so do not approach other providers.

Confidentiality and Data Protection

Please see our separate Privacy Notice.

Money

We will hold money that you pay to us in accordance with the regulators rules or under a risk transfer agreement with insurers. This will include holding your money in a **non-statutory trust insurer bank account** in accordance with our agreements with Insurance Companies that transfer the risk of money we receive from customers to them, these agreements deem any money you pay to us, to be received by them and they will bear the risk of any losses in the event that our firm becomes insolvent. This includes premium refunds we receive prior to being paid to you. **By holding your money in this way, means that in the event that this firm becomes insolvent your money remains protected.**

In arranging your insurance we may employ the services of other intermediaries who are regulated by the FCA and your premium may be passed to these intermediaries for payment to insurers. These firms are also required to hold clients' money in a separate trust account. We will also inform you if at any time we are required to pass your premium to firms that operate outside the UK where the protection may be different.

Should you not wish us to pass premiums to a firm outside of the UK, please inform us.

Our Remuneration

We usually receive a commission from the insurance provider with whom we place your business.

In such a case, the commission will be paid to us either when we are in receipt of cleared funds from you or, when the insurer has received cleared funds from us in respect of the premium due under your policy. The individual agreements we have with each insurer will determine which of the two methods above is used to make this transfer of commission. We may also receive a commission or fee for passing introductions to other professional firms. In addition, we may also charge you a fee for administering your insurance and full details will be provided to you at outset.

Payment Options

We will provide you with full details of all the payment options available to you when we provide you with your insurance premium. **Please Note: Your policy cover will cease if you fail to keep up payments on an instalment agreement facility related to it.**

Your Right to Cancel (Applicable to Consumers only)

Please contact us if you wish to cancel any policy that we have arranged for you. Customers acting outside their trade or profession (Consumers) will usually have a legal right to cancel policies for any reason, subject to no claims having occurred, within 14 days of receiving the full terms & conditions. This period is extended to 30 days for Pure Protection or Payment Protection contracts. You will always be advised where this Right applies. A charge may apply for the period of cover provided and, in addition, an administration charge will apply as shown in the charges section above, cancellation under this right must be in writing, prior to expiry of the cancellation period, to our usual office address.

Complaints

Our aim is always to provide our customers with a first-class service; however we are aware that, occasionally, it is possible that we may fail to meet your expectations. If for any reason we have not met your expectations, let us know as soon as possible, by contacting the Managing Director at the above address or telephone number.

If we are unable to resolve the issue to your satisfaction by the end of the next business day, we will formally investigate the matter. You will receive an acknowledgement of the matter together with a copy of our complaints process promptly and certainly within 5 working days. We will then aim to investigate and provide a resolution as quickly as possible, informing you of a final response no later than 8 weeks.

If you are not happy with our response, or the position after a period of 8 weeks, you may be eligible to refer your complaint to the Financial Ombudsman Service (FOS) for an independent assessment and opinion.

The FOS Consumer Helpline is on **0800 023 4567** (free for people phoning from a "fixed line" (for example, a landline at home) or **0300 123 9123** (free for mobile-phone users paying monthly charge for calls to No's starting 01 or 02). Alternatively you can contact them at Financial Ombudsman Service, Exchange Tower, Harbour Exchange Square, London, E14 9SR. www.financial-ombudsman.org.uk. **A full copy of our complaints procedure is available on request.**

Financial Services Compensation Scheme (FSCS)

If we are unable to meet our obligations, you may be entitled to compensation from the FSCS. If we have advised or arranged insurance for you this will be covered for 90% of a claim, without any upper limit, however claims under compulsory insurance, professional indemnity insurance and certain claims for injury, sickness or infirmity of the policyholder are protected at 100%. Further information is available from the FSCS helpline on 0800 678 1100 or 020 7741 4100 and www.fscs.org.uk.

The FSCS is the UK's statutory fund of last resort for customers of authorised financial services firms. Compensation is usually payable if an authorised firm is unable or unlikely to pay claims usually because it has ceased trading or become insolvent

EXPLORER INSURANCE SERVICES LIMITED
HOW WE PROTECT YOUR PERSONAL INFORMATION
PLEASE READ THIS CAREFULLY

1. What Data do we collect and where do we get it from?

For the purposes set out in this notice, the Information Commissioner (ICO) requires us to advise you that, information, including personal information detailed below relating to you or anyone else to be covered by an insurance policy ("**Personal Data and Special Categories of Data**") will be collected and processed by Explorer Insurance Services Limited and/or on its behalf by its third party service providers. This data will be provided by you, or any other person you may appoint to provide us with information. You will either be completing application forms or answering questions we ask you, in order to provide the required information. We may also obtain information from other sources that is readily available in the public domain such as the Internet of Things (IoT), Social Media, Press *etc.*

Personal Data....

This is information we may gather from you that will directly or indirectly identify you as individual, and may also provide information about your cultural or social identity. This type of data must be processed strictly in accordance with our Basis at Law stated in the table below. This data will include but may not be limited to:

Your title, name, postal address, risk address, civil status, gender, current and or previous occupation, date of birth, contact details, mental health conditions, bank details, credit / debit card details, children's data where the child is under 16.

Special Categories of Data....

This is information we may gather from you that might reveal your racial or ethnic origin, political opinions, religious or philosophical beliefs, your health, sex life or sexual orientation. This data will be processed strictly in accordance with the Basis at Law stated in the table below. This data will include but may not be limited to:

Your title, gender, race, ethnic origin, political opinions, religious beliefs, physical or medical health conditions, children's data where the child is under 16.

We will have asked for, and recorded either your verbal or documented consent to process any special categories of data that we may have collected from you.

Each time you visit our website, we may automatically collect Technical information including IP addresses.

The controller of this Personal Data is Explorer Insurance Services Limited ("**we**" and "**us**") of Suite 9, Chalkwell Lawns, 648 – 656 London Road, Westcliff on Sea, SS0 9HR.

If you have any query, please contact Mr Darren Pascoe, darren.pascoe@explorerinsurance.co.uk We process your Personal Data in accordance with this Privacy Notice, which is also available on www.explorerinsurance.co.uk

2. How and why do we Process Your Personal Data?

The following details:

- why we collect your data and the consequences of not providing it
- our legal basis as required by the Regulations
- who we share your data with and why
- how long we will retain your data

Legal basis for processing

Why we collect your data

We obtain, collect and process your Personal Data and Special Categories of Data (which includes sharing your data with others) to enable us to quote for your insurance needs, place you on cover, make any payment arrangements requested, make any alterations to your policy that you may request during the policy term, and in the unfortunate event that a claim occurs we will need to share your information to help you make your claim. We may also have regulatory and / or legal obligations for sharing data with others, but we will only share it for the purposes stated, or in a way you would reasonably expect us to, unless we inform you otherwise. If you do not provide the data requested it may not be possible to obtain a quote or provide you with a policy.

Our legal basis for processing your data

In order to arrange your insurance we will be using one or more of the following legal bases:-

- In respect of children's data, a child being a person under the age of 16, which is only collected for the purposes of arranging travel insurance, we will seek parental consent to hold the data and record that consent.
- We will seek consent from you, either verbal over the phone, or signed consent from you where we are face to face, to enable us to process any special categories of data we may obtain from you, as described above.
- Processing is necessary in order for us to take steps, at your request, to enter into a contract of insurance when you ask us to place cover, and for the performance of that contract when you need to make a claim.
- Processing is necessary for us to comply with any legal or regulatory obligation
- Where we believe a customer is vulnerable, processing might be necessary to protect the vital interests of that person or other person covered by the policy
- We may have a legitimate interest in processing the data for changes to any quotation or policy which you may request, or for any other reason necessary to undertake any other requests related to your insurance policy

Who we share your data with and the reason for processing

We are a Data Controller and in order to process your requests we may be sharing your data with one or more other Data Controllers. The Controllers we may share with and our reasons for sharing that information are listed but not limited to the following:

- Insurers - Quotation, cover, to manage and progress claims
- Insurance Providers, (Placing Brokers, Delegated Authority Schemes, Wholesalers and the like) - Quotation, cover, to manage and progress claims
- Insurance Fraud Bureau - Potential policy fraud
- Financial Conduct Authority - Regulatory obligations
- Financial Services & Compensation Scheme - Compensation in the event of insurer failure, if eligible
- Financial Ombudsman Service - Unresolved Complaints, if eligible
- National Crime Agency - Suspected criminal / fraudulent activity
- HM Treasury Sanctions - Checking clients are not on the banned list
- Claims Management Services - To manage and progress claims
- Police - Legal obligations
- Possible Suppliers - Insurers replacement facilities *i.e.* jewellers, cleaning companies, approved repairers, and the like in the event of a claim
- Staff - Administering the quotation and policy, claims or payments. Back Up Of Data
- Claims Management Company - To manage and progress claims
- It Providers (Software) - Holds all collective management information, system testing when system not responding or errors occur
- It Providers (Hardware, Cloud & Systems Management) - To detect issues, secure the system, and test the system. Also backup of data
- Third Party Medical Agencies and Staff - To manage and progress claims
- Claims Exchange Underwriting - Sharing of previous claims information between insurers
- Our own Insurers - Where we need to provide information about you
- Solicitor - Claims against clients or claims against us
- Interpreter - For management of the policy and claims where language is a barrier or they use sign language
- Other Data Controllers not detailed above - To be shared only for the purposes stated, or in a way you would reasonably expect us to, unless we inform you otherwise

How long we retain your data

We will retain your Personal Data for as long as your insurance policy is valid with us and for 20 years thereafter.

IMPORTANT

For quoting your insurance we may carry out automated decision making (including profiling) to process your personal data in order for insurers to underwrite and price your insurance online and/or process your claim. We take care to ensure our profiling is fair, transparent and limited in purpose.

We have stated the reasons we are collecting your data above, but in the event that you do not wish to provide us with your Personal Data for all or any of the above reasons, this may limit the insurers who will quote and agree to cover, and in some cases insurers may not wish to offer cover at all.

If at any point in the future we need to amend this policy, every effort will be made to make you aware and our website will always have the latest version.

3. Where do we hold your Data?

At all times we will endeavour to hold your Data on servers within the UK, or within the European Economic Area (EEA). Where we share your information with other Data Controllers they must also agree to hold your Data within the EEA. However, in the unlikely event your data is to be held in any other geographical area we ensure that:

- Data Controllers do not do so without our prior written authority and
- An appropriate transfer agreement is put in place to protect your personal data

4. Your Acknowledgment of this Notice and Your Rights

Under General Data Protection Regulation you have rights and these are listed below.

Right to be informed

The General Data Protection Regulation sets out the information we must provide to you about your Data. All of the information we are required to give you is contained within this Privacy Notice. If you do not understand any part of this, you should contact us immediately and we will be happy to explain it to you.

Right of Access

You have the right to access and obtain a copy of the Personal Data, and any supplementary information that we hold about you to enable you to verify the lawfulness of the processing carried out. This will be provided free of charge, unless your request is unfounded, excessive or repetitive, and the information will be sent to you within 30 days of your request being received. If we refuse your request, you have the right to complain to the ICO.

Right to Rectification

You have the right to request that we correct any inaccuracies in the Personal Data we hold about you. This will be corrected within one month. If we are unable to correct the inaccuracy you have the right to complain to the ICO.

Right to Erasure

You have the right to request that we erase your Personal Data. For example, you may exercise this right in the following circumstances:

- your Personal Data are no longer necessary in relation to the purposes for which they were collected or otherwise processed by us;
- you withdraw consent and no other legal ground permits the processing;
- you object to the processing and there are no overriding legitimate interests for the processing;
- your Personal Data was unlawfully processed; or
- your Personal Data must be erased for compliance with a legal obligation.

We refuse the right to delete your information when it falls within our data retention period stated above, as this data may be required to exercise or defend litigation in the event of a claim whether covered or not by the insurance policy. If you do not agree with this you have the right to complain to the ICO.

Right to Restrict Processing

You have the right to restrict our processing of your Personal Data where any of the following circumstances apply, although we will still be allowed to store it:

- where you feel that the Personal Data which we hold about you are not accurate. Processing will be restricted until you verify the accuracy of the information
- where the processing is unlawful and you do not want your Personal Data be erased and request the restriction of its use instead;
- where we no longer need to process your Personal Data but the data may be required to establish, exercise or defend a legal claim
- where you have objected to our processing of your Personal Data pending the verification of whether or not our legitimate business interests override your interests, rights and freedoms.

Where you exercise your right to restrict our processing of your Personal Data, we will only continue to process it in accordance with the requirements of this policy or our legal obligations.

Right to Data Portability

You have a right to receive and transfer the Personal Data that we hold about you. This only applies to:

- personal data you have provided to us
- where the data was processed by you giving us your individual consent or for the performance of a contract
- and where processing was carried out by automated means.

Where you make such a request, this will be provided in a structured, commonly used, machine readable format such as a CSV file. This will be completed within one month of us receiving your request.

Right to Object to Processing

In certain circumstances, you have a right to object to our processing of your Personal Data

- Where we have processed it as a legitimate interest (including profiling)
- Direct Marketing (including profiling)
- Processing for scientific / historical research and statistics

We will still be able to process your Personal Data where

- We can demonstrate compelling legitimate grounds for us to process your Personal Data which override your interests, rights and freedoms
- The processing is for establishment, exercise and defence of legal claims.

Right to Object to automated decision making including profiling

You have a right not to be subjected to decisions being made solely by automated means without any human involvement. This might be the case where quotations are obtained online. We will still be able to carry out this type of decision-making where:

- It is necessary to enter into or for the performance of a contract (such as a contract of insurance) which is the main reason we would use this type of decision-making; or
- You have given your explicit consent for us to do so.

We will only process data in the way you would expect it to be used, and you will be entitled to have a person from our firm to review the decision so that you can query it and set out your point of view and circumstances to us.

Right to Withdraw Consent

Where the legal basis of Consent has been used for Children's' data or special categories of data, you have the right to withdraw that consent at any time. Where you exercise your right to withdraw consent of the processing of any children's data or special categories of data, any data processed prior to the withdrawal of consent will remain valid.

If you would like to exercise any of your rights detailed above, please contact Mr Darren Pascoe, darren.pascoe@explorerinsurance.co.uk You may raise any concerns about Explorer Insurance Services Limited processing of your Personal Data with the Information Commissioner Office on www.ico.org.uk

5. Changes to this Notice

We may amend this notice on occasion, in whole or part, at our sole discretion. Any changes to this notice will be effective immediately upon sending the revised notice to you by e-mail or post. If at any time we decide to use your Personal Data in a manner significantly different from that stated in this notice, or otherwise disclosed to you at the time it was collected, we will notify you by e-mail or post and you will have a choice as to whether or not we use your information in the new manner. If you have questions or concerns about this notice, please contact Mr Darren Pascoe, darren.pascoe@explorerinsurance.co.uk

6. Information about or provided by another person

Where your information for your policy has been provided to us by another person, we will send you a copy of this privacy notice directly to you, where we have your address, within one month of your policy being taken out. If we do not have / are unable hold your address for any reason, we will send a copy of this to the person arranging the insurance with instructions to pass this to you within one month. Where you have taken out a policy and provided us with information about another person, e.g. an additional driver to your motor policy, an additional person to your travel insurance particularly where health conditions have been disclosed, it is unlikely we will have their address, and therefore you must provide them with a copy of this Privacy Notice so that they will know how their data is being used. Additional copies can be supplied on request.