



**WOKINGHAM  
BOROUGH COUNCIL**

## **Privacy Notice Insurance**

This notice, in conjunction with Wokingham Borough Councils overarching privacy statement, explains when as a service we collect personal information, what we use your data for, who has access, who we share it with, and what your rights are.

### **Who are we?**

Insurance  
Business Services,  
Wokingham Borough Council,  
Shute End  
Wokingham,  
Berkshire,  
RG40 1BN

### **What is the lawful basis for processing the information?**

The lawful basis for processing your information is necessary for compliance with a legal obligation and to carry out a public task. The information is processed in the exercise of, and/or in the defence of, legal claims arising from alleged breaches of, and compliance with (i) the Common Law of England and (ii) the legal obligations set out in the terms of various statutes applying to the authority. The information is also processed in the purchasing and administration of insurance cover. Including but not limited to the following legislation:

- Childrens Act
- Commonhold and Leasehold Reform Act 2002
- Health and Safety at Work Act 1974
- Highways Act 1980
- Human Rights Act 1998
- New Roads and Street Works Act 1991 ('NRSWA')
- Occupiers Liability Act 1957
- Occupiers Liability Act 1984
- Road Traffic Act 1988

### **How do we collect information from you?**

Information is collected from you as the service user via online web forms, hard copy documents, e-mail, by telephone or through face-to-face discussion. This information will be collected from either you directly as the data subject, or from a representative acting on your behalf, e.g. insurers.

Solicitors are obliged to use the Claims Portal for certain claims (such as personal injury claims valued at up to £25,000 and where the incident giving rise to the claim falls on or after 31 July 2013) but from time-to-time this is subject to amendment by law.

Information used for the purchasing of insurance will generally be supplied by other departments within the authority (e.g. Legal Services, Property Services, Housing Services).

## **What type of information is collected from you?**

The service collects and processes a range of information about you. The information is provided to enable the Insurance service to carry out its duty and functions, provide you with a service, and continue to make service improvements.

We will collect the following information, dependent on the type of claim that is made: Surname, Forename, Title, Date of Birth, Address(es), Postcode(s), E-mail, Phone number, National Insurance number(s), Vehicle registration number(s), Photographic evidence, Medical information, and Banking details on certain types of claims where settlements are made.

We may also collect Surname, Forename, Title, Address, Postcode, and Mortgage details of individuals purchasing or leasing shared ownership or residential properties. Surname, Forename, Title, Address, Postcode and details of the type of business carried out by those parties leasing commercial units from the Council.

You will be informed of any other data we collect, that is not listed above, orally or through email at the time of collection of the data.

## **How do we use the information you have provided?**

All information provided is used by Wokingham Borough Council in the exercise or defence, of legal claims made against, or by, the authority. Responding to enquiries and other matters, and transferring money where settlements are made on a claim.

Information is used to inform and enable the purchase of insurance cover for the authority or third parties (e.g. where required to do so under the terms of a lease or other contractual agreement).

## **Who has access to the information about you?**

Your information is managed by staff employed in the Insurance Service. Your information may also be shared with officers from other service areas for assistance with these matters. All personal data is stored securely; we have in place security which are intended to ensure, as far as possible, the security and integrity of all personally identifiable information.

Your data is stored securely on our claims handling system ('LACHS') and accessed only by authorised officers of Wokingham Borough Council by using their own Username and Password all created in-line with pre-defined user credentials. Personal data is also held in electronic files on the Councils network drives. These are only accessible through personal logon credentials and access privileges to specific drives. Generally, no more than two officers have access to information at any one time.

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 our sites, any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access, and any exchanges of information carried out once we are in receipt of your data will be done securely.

Any personal data held in paper format is held in lockable filing storage, and accessed only by authorised officers, as is data held on audio or CD/DVD media. Data may be stored in paper form and is always secured in lockable cabinets when not in use. Access to Council sites is also secure requiring a person electronic pass (lanyard) to access staff only areas.

## **Who we may share your information with?**

When contacting the Insurance Service, your information will be shared with other Council staff to the extent required to provide you with the service you have requested. Any service area within the Council, or a school, against whom a claim has been made will have the information shared that is proportionate and relevant to the claim.

The council's insurers, external claims handlers, external loss adjusters, external (or internal) solicitors, service providers/contractors, as appropriate and necessary to deal with a claim made against the council or, on occasion, pursued by the council. Statistical (anonymised) information will be shared with brokers and insurers in the exercise of purchasing insurance.

Where the Council engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality, and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

To ensure that information is held continued to be held securely and that accuracy is maintained, there will also be instances where our system suppliers will need to access individuals personal information. This will be on a strict need to know basis and all contracts have confidentiality clauses built in.

The Council will not transfer your information to countries outside the European Economic Area (EEA) unless this is necessary, and only to countries which have sufficient safeguards in place to protect information.

Information will be shared internally if required for better performance and efficiency of Council services and the welfare of individuals.

Wokingham Borough Council may also share personal information with the police and other local authorities under Article 23 of the General Data Protection Regulations in order to prevent or detect crime.

## **How long do we store your information?**

The duration that the Council will hold information, and what happens at the end of that period, are as described within the Councils corporate retention schedule available on our website: [www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/privacy-statement](http://www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/privacy-statement)

## **Does the service utilise automated decision-making?**

The Insurance Service does not utilise automated decision-making in its services.