



## Leaflet on Data Protection for the Processing of Claims in Accident Insurance

R+V Allgemeine Versicherung AG - Raiffeisenplatz 1 - 65189 Wiesbaden  
As at May 2018

### Preamble

This leaflet is for informing you comprehensively about the processing of your personal data by R+V Allgemeine Versicherung AG as part of settling your accident insurance claim. We will only process your personal data if we are legally entitled or obliged to do so.

### Contact details of the company's Data Protection Officer

If you have any queries relating to data protection law, you can contact the R+V Insurance Group's Data Protection Officer:

Dr. Roland Weiß

Raiffeisenplatz 1

65189 Wiesbaden

Email: [datenschutz@ruv.de](mailto:datenschutz@ruv.de)

If you have any general queries on your loss or policy, please use the general contact channels. You can find information on these on the internet: [www.ruv.de](http://www.ruv.de)

### Information on the use of your data

We process your data as a part of settling your accident insurance claim and the procedures associated therewith. The processing of these data is regulated by law.

The German insurance industry has undertaken in the **Code of Conduct of the German Insurance Industry** not only to strictly adhere to the relevant data protection laws, but also to take further measures in addition to these for the promotion of data protection. Explanations on this can be found in the Code of Conduct on the internet: [www.code-of-conduct.ruv.de](http://www.code-of-conduct.ruv.de). There you will also find the companies participating in the R+V Insurance Group as at 01.01.2014. We will also be pleased to send you by request a printout of this Code of Conduct by post. For this, please contact: R+V Versicherung, Datenschutz, Raiffeisenplatz 1, 65189 Wiesbaden, email: [datenschutz@ruv.de](mailto:datenschutz@ruv.de)

*Furthermore, where appropriate in the framework of what is legally permissible, we collect, process and use your data for **advertising or market or opinion research**. You can informally object at any time to this use of your data with effect for the future. You can also object to the advertising at any time by email to [ruv@ruv.de](mailto:ruv@ruv.de).*

In addition, as part of the data protection legal provisions, where appropriate, your data may be collected, processed and used for other purposes which are not directly connected to the insurance contract and the settlement of your claim.

These could be, for example:

- Execution and implementation of necessary, legally permissible regulatory and supervisory legal requirements. To explain: in connection with our main activity, we are subject to numerous, special legal provisions as a part of which your personal data are processed (e.g. statutory reporting obligations to state agencies, Solvency II, etc.)
- Reviewing and optimizing electronic data processing procedures
- Compiled, intragroup and legally permissible data used company-wide (e.g. loss monitoring, quality management, process optimization)
- General rate calculations
- Asserting legal claims and defending in cases of legal disputes.

Fundamentally, we ask you to disclose to us only such data which are necessary or statutorily prescribed for settling your claim. If we ask you to disclose data to us on a voluntary basis, we will indicate this separately. If there is a contractual or statutory obligation to disclose the data and you refuse disclosure, this can lead to our not being able to settle your claim or not being obliged to make payment.

### Legal grounds

In many cases, data processing is legally permissible as it is required to settle your claim.

If we process data for which the law on data collection requires consent, we shall obtain this separately from you. This takes place, for example, when we process your health data in the settlement of your claim.

In other cases, we process your data based on **general balance of interests**. This often concerns the case that we transmit your data to a third party. If we, for example, for reasons of process optimization, transmit your data to a specialist service provider, which is active as an independent operation, we conclude contracts with these service providers that ensure that a suitable level of data protection prevails there. If we transmit your health data outside the statutory requirements to a third party, we will obtain your separate, explicit consent beforehand.

If the data processing is based on a general balance of interests, you have **the right to object** to this data processing when you can claim grounds arising from your special situation. There is no right to object if there are contrary compulsory legitimate interests for the processing or the processing serves to assert, exercise or defend legal rights.

It is not sufficient if you object to certain data processing without providing details of special grounds.

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### Origin of the data, categories of personal data

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Fundamentally, we collect your personal data direct from you.

However, in certain cases, it can be that we receive your data from a third party:

- We also receive data on your claim (e.g. your name, your address and, if applicable, the date of the accident) via our policyholder when we cannot collect these direct from you.
- We also receive data on your claim via other third parties (e.g. witnesses, authorities, court and investigation files and, if applicable, from other insurers).
- For **returned post**, we will have address research carried out by specialist service providers to ascertain up to date address data.
- As a rule, we receive data on those **entitled to benefit, heirs or beneficiaries** from our policyholder. We obtain your name, your address and, if applicable, your date of birth, to be able to contact you in the case of a claim.
- We receive data on **witnesses** through our policyholder or other participants (e.g. investigating authorities). For this purpose, we obtain your name, your contact details and the relevant, required information on the facts.
- If your data is submitted via your broker (e.g. a notice of accident), we obtain your data from your broker.

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### Transmission of data to third parties

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As part of settling a claim, in some cases, data transmission to a third party may arise. This could be especially:

#### a) Policyholder

If the insured person is not themselves also the policyholder of the accident insurance, it may be that we will forward the data for the claim to the policyholder. In these cases, the policyholder will learn, for example, regularly, that you have suffered personal injuries, what benefit and how much we have paid out and why we possible have not paid out. Without this information, we would not be able to fulfil our contractual obligation to the policyholder. If this data would allow conclusions to be drawn as to your health, we will obtain separate consent from you.

#### b) Reinsurer

In certain cases, for example, for large scale risks or injuries, we transfer a part of the risks assumed in the insurance contract to a **reinsurer**. Here, it may be necessary to inform the reinsurer of relevant underwriting details.

The transmission of data to the reinsurer always takes place as part of the general balance of interests. In case of a high risk of financial failure, R+V secure the risk, wholly or partially, with reinsurers to minimize its own risk through them. If it is exceptionally necessary for this to also transmit health-related information to the reinsurer, we will obtain separate consent from you.

#### c) Insurance brokers



If required, we will notify the responsible insurance broker of general contractual and injury data that are necessary for providing advice and support.

The transmission of data to the insurance broker always takes place as a part of a general balance of interests. If it is exceptionally necessary for this to also transmit health-related information to the broker, we will obtain separate consent from you.

**d) Transmission of data to other insurers**

As a part of settling your claim, it may be necessary to exchange information with a **previous insurer** to verify the details of the claimant or the insured.

Furthermore, for multiple insurance, personal data will be exchanged amongst the insurers. In doing so, we will forward your data (e.g. name and address, scope of the insurance, date and circumstances of the accident). The exchange of data will be documented.

In cases of the shared coverage of risks, there will be an exchange of data with the participating insurers as a part of processing the claim.

In both cases, the transmission of data to other insurers will always take place in the context of a general balance of interests and, in certain cases, based on consent which we will obtain separately.

**e) Contractors and service providers**

You can also retrieve the lists of the contractors and service providers, with which not only temporary business relationships exist, on the internet at [www.code-of-conduct.ruv.de](http://www.code-of-conduct.ruv.de).

We will also be pleased to send you by request a printout by post. For this, please contact: R+V Versicherung, Datenschutz, Raiffeisenplatz 1, 65189 Wiesbaden, email: [datenschutz@ruv.de](mailto:datenschutz@ruv.de).

If not only "help functions" strictly bound by instructions are outsourced to service providers, but service providers render advanced activities with a certain independence, there is a so-called transfer of functions from a data protection law viewpoint. Typical examples of this are experts, auditors or medical service providers in the assistance area.

If you can claim that, based on your personal situation, your legitimate interest outweighs the interests of the transmitting insurance company, you have a right to object to the transmission of data at the transfer of functions. This can, for example, be the case if, in connection with a preceding insurance claim, a legally valid court judgement was made that a certain expert had falsely assessed your circumstances and a risk of repetition cannot be excluded in a concrete case. In contrast, it is not sufficient when you want no transmission of data to a service provider in general or a certain service provider without special grounds. You will find transfers of functions in the abovementioned list of service providers.

**f) Centralized data processing within the R+V Insurance Group**

Certain areas are centralized within the R+V Insurance Group, such as debt collection or data processing. Thus, for example, your address will only be saved once if necessary, even when you have taken out policies with various companies in the Group. Your insurance number, the type of the contract and, if necessary, your date of birth, bank details with IBAN and BIC as well as the mandate reference (linked with the creditor identification number, this enables a clear identification of the mandate) are kept in a central data collection; i.e. general application, contract and claim data.

Thus, so-called core data, e.g. name, address, customer number, IBAN, BIC and the mandate reference, insurance certificate number and comparable identification data can be accessed by all the companies of the Group. In this way, incoming post can always be assigned correctly and the responsible contact person named immediately for telephone inquiries. In addition, cash received can be posted correctly in cases of doubt without further inquiry.

In contrast, the other general application, contract and claim data can only be retrieved by the responsible company of the Group.

**Data can be transferred between the following companies of the R+V Insurance Group:**

R+V Versicherung AG  
R+V Allgemeine Versicherung AG  
R+V Direktversicherung AG  
R+V Gruppenpensionsfonds-Service GmbH\*  
R+V Krankenversicherung AG  
R+V Lebensversicherung AG  
R+V Lebensversicherung a.G.  
R+V Luxembourg Lebensversicherung S.A., Wiesbaden branch  
R+V Pensionsfonds AG



R+V Pensionskasse AG  
R+V Pensionsversicherung a.G.  
R+V Rechtsschutz-Schadenregulierungs-GmbH\*  
R+V Service Center GmbH\*  
R+V Treuhand GmbH\*  
RUV Agenturberatungs GmbH\*  
Vereinigte Tierversicherung Gesellschaft a.G.  
KRAVAG-HOLDING Aktiengesellschaft  
KRAVAG-ALLGEMEINE Versicherungs-AG  
KRAVAG-LOGISTIC Versicherungs-AG  
KRAVAG-SACH Versicherung des Deutschen Kraftverkehrs VaG  
KRAVAG und SVG Assekuranz Vertriebs- und Bearbeitungszentrum GmbH\*  
KRAVAG Umweltschutz und Sicherheitstechnik GmbH (KUSS)\*  
Condor Allgemeine Versicherungs-Aktiengesellschaft  
Condor Lebensversicherungs-Aktiengesellschaft  
Condor Dienstleistungs-GmbH\*  
R+V Dienstleistungs-GmbH\*

Pension Consult Beratungsgesellschaft für Altersvorsorge mbH\*  
carexpert Kfz-Sachverständigen GmbH\*  
CHEMIE Pensionsfonds AG  
compertis Beratungsgesellschaft für betriebliches Vorsorgemanagement mbH\*  
UMB Unternehmens-Managementberatungs GmbH\*  
UMBI GmbH\*

\*This company is a service provider to the participating companies of the R+V Insurance Group and can, therefore, access personal data.

You can retrieve the currently valid list of the companies taking part in the central processing at [www.code-of-conduct.ruv.de](http://www.code-of-conduct.ruv.de). We will also be pleased to send you by request a printout of these lists by post. For this, please contact: R+V Versicherung, Datenschutz, Raiffeisenplatz 1, 65189 Wiesbaden, email: [datenschutz@ruv.de](mailto:datenschutz@ruv.de).

#### **i) Authorities**

We transmit your personal data to the authorities only if we are statutorily or contractually entitled or obliged to do so.

For example, such a transmission of data can take place at the request of an authority. In this case, we check whether the authority may receive the data. In other cases, we are also statutorily obliged to transmit your data to the authorities (e.g. for tax reasons).

In certain cases, it can also be required that we obtain your consent.

#### **Transmission of data to third party countries**

If this is necessary, we will transmit your personal data, if applicable, to service providers in third party states outside the EU/EEA (e.g. in the case of IT support services). Naturally, regarding the selection and the contractual provisions, we observe the statutory regulations.

Moreover, for certain contract types, it can be that we transmit your data to the reinsurers. Including in third party states.

Furthermore, in certain cases, there are statutory reporting obligations, because of which we must transmit your data to authorities and similar bodies abroad.

In addition, in cases of legal disputes with foreign elements, such a transmission may be necessary.

If your consent is necessary in individual cases, we will obtain this separately from you.

#### **Duration of data retention**

If required, we process and retain your personal data for the necessary duration of the claim management.

In addition, we are subject to various retention and documentation obligations, which arise from, amongst others, the German Commercial Code (HGB), Tax Code (AO) and Insurance Contract Act (WG). The time limits for retention and documentation prescribed therein amount from two to ten years.

Ultimately, the retention period is also assessed pursuant to the statutory periods of limitation, which, for example, pursuant to Sec. 195, et al, of the German Civil Code (BGB) can amount up to thirty years, whereby the regular statute of limitation amounts to three years.

You can find additional information on our deletion deadlines in a list provided centrally by us on the internet: <https://www.ruv.de/static-files/ruvde/downloads/datenschutz/loeschfristen.pdf>. Alternatively, you can request the list by post: R+V Allgemeine Versicherung AG, Konzern-Datenschutz, Raiffeisenplatz 1, 65189 Wiesbaden.

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### **Rights of the data subject**

You can apply for information of your retained personal data. In addition, you can demand that a correction be made to your data if these are incorrect or incomplete. There may be rights to delete or restrict your data when their collection, processing or use prove to be impermissible or no longer necessary. These rights can be asserted with: R+V Versicherung, Datenschutz, Raiffeisenplatz 1, 65189 Wiesbaden, E-Mail: datenschutz@ruv.de.

### **Data collection without the cooperation of the data subject**

If you disclose the personal data of third parties (e.g. insured person, beneficiaries, injured parties, witnesses, etc.) to us in your capacity as the policyholder, you are obliged to inform them of this through forwarding this leaflet. This also applies regardless of whether the insurance company meets an information obligation.

### **Right of appeal**

There is a right of appeal to a competent data protection supervisory body (Art. 77 of the General Data Protection Regulation [DSGVO]).