

M&S Car Insurance

Data Protection Act - use of your information

By supplying data to us you will provide information about yourself and others, which the Data Protection Act defines as personal data or sensitive personal data. For the purposes of the Data Protection Act 1998 the Data Controllers in relation to the personal data you supply are Marks & Spencer Financial Services plc and BLS Limited. We, us and our, refer to Marks & Spencer Financial Services plc and BLS Limited. HSBC Group means HSBC Holdings plc, its subsidiaries, associated and affiliated companies. Marks & Spencer Financial Services plc is a member of the HSBC Group. Marks and Spencer Group means Marks and Spencer plc and its subsidiaries, associated and affiliated companies. Information we hold about you will not be disclosed to anyone (including other members of the HSBC Group or the Marks and Spencer Group) other than where we are legally required to disclose, we have a public duty to disclose, our interests require disclosure, disclosure is made with your consent or as set out in the terms below. To enable us and the insurer to assess your insurance risk and to enable any claims arising from this insurance to be processed we will need to store and process sensitive personal data (such as details of health and criminal convictions).

Crime prevention

To prevent crime and to verify your identity, we may exchange information (both within the UK and, where appropriate, overseas) with other members of the HSBC Group and/or Marks and Spencer Group, and where appropriate, other organisations. In particular, if false or inaccurate information is provided and fraud is identified, details will be passed to fraud prevention agencies to prevent fraud and money laundering.

Insurance Administration, Renewal and Claims Handling

Information you provide about yourself and others will be used for insurance administration, including renewal and claims handling. We exchange information with insurers through various databases to check information provided and to prevent fraudulent claims. We may disclose any information relating to any account where in our reasonable opinion this is necessary for the prevention and detection of fraud or money laundering or we have a legal obligation to disclose it to any person, including the police making the request. We may check your details with fraud prevention agencies and if you give us false or inaccurate information and we suspect fraud, we will record this. We may share this information within the HSBC Group, Marks and Spencer Group and with other organisations approved by Marks and Spencer plc to make decisions about you for insurance purposes. Should you need to make a claim we will obtain and exchange claims information with other insurers, this is common practice within the industry and prevents fraudulent claims.

Claims & Underwriting Exchange and other registers and databases

We or the Insurer exchange information with various databases to help us check information provided, to detect and prevent crime or fraud and to obtain information about your no claims history. These may include the Claims and Underwriting Exchange register run by Insurance Database Services Limited (IDS Ltd), the Hunter Database run by MCL Software Ltd, the Motor Insurance Anti-Fraud and Theft Register run by the Association of British Insurers (ABI), the No Claims History Database run by Reed Elsevier (UK) Limited trading as LexisNexis and any other relevant industry databases or registers. Information may be shared with these registers and checks carried out against the information held on those registers when we or the Insurer deal with your request for insurance at renewal, when amendments are made to your policy, where a claim is made or where it is necessary to update our policy records. Under the conditions of your policy, you must tell us about any incident (such as an accident or theft) which may give rise to a claim. When you tell us about an incident, we or the insurer will pass this information to the registers and any other relevant registers. You can ask us for more information about this.

Driving Licence Number

If you provide your driving licence number this may be passed to the DVLA, by either us or the insurers on our panel, in order for a search to be carried out to confirm your (or any named driver's) licence status, entitlement and relevant restriction information and endorsement/conviction data. Searches may be carried out as part of your quote or at any point throughout the duration of your insurance policy including when amendments are made to the policy and at renewal. Undertaking searches using your driving licence number helps insurers check information to prevent fraud and reduce incidences of negligent misrepresentation and non-disclosure. A search with the DVLA will not show on your (or your named driver's) driving licence record. For details relating to information held about you by the DVLA, please visit www.dvla.gov.uk

Data Processing

The HSBC Group, members of the Marks and Spencer Group and other companies approved by Marks and Spencer plc (which may include insurance companies) may record, exchange, analyse and use relevant information about you and your relationships with the HSBC Group and/or members of the Marks and Spencer Group (including the nature of your transactions) for testing, monitoring, training, credit assessment, credit and/or risk management, market research, insurance and administrative purposes. This may include information provided by you, or someone acting on your behalf. We may make such information about you and your relationships available to members of the HSBC Group, members of the Marks and Spencer Group and/or other companies approved by Marks and Spencer plc for these purposes. Relevant information may also be exchanged with members of the HSBC Group and/or Marks and Spencer Group and others, for audit purposes and if required by appropriate governmental and non-governmental

regulators or ombudsmen. We may use other HSBC Group companies and/or third parties to process information and provide services on our behalf. Whether it is processed in the UK or overseas, your information will be protected, in accordance with data protection legislation, by a strict code of secrecy and security which all members of the HSBC Group, their staff and any third parties are subject to and will only be used in accordance with our instructions.

Motor Insurance Database

Information relating to your insurance policy will be added to the Motor Insurance Database ("MID") managed by the Motor Insurers' Bureau ("MIB"). MID and the data stored on it may be used by certain statutory and/or authorised bodies including the Police, the DVLA the DVLANI, the Insurance Fraud Bureau and other bodies permitted by law for purposes not limited to but including:-

- i. Electronic Licensing
- ii. Continuous Insurance Enforcement
- iii. Law enforcement (prevention, detection, apprehension and/or prosecution of offenders)
- iv. The provision of government services and/or other services aimed at reducing the level and incidence of uninsured driving.

If you are involved in a road traffic accident (either in the UK, the EEA or certain other territories) insurers and/or the MIB may search the MID to obtain relevant information. Persons (including his or her appointed representatives) pursuing a claim in respect of a road traffic accident (including citizens of other countries) may also obtain relevant information which is held on the MID. It is vital that the MID holds your correct registration number. If it is incorrectly shown on the MID you are at risk of having Your vehicle seized by the Police. You can check that your correct registration number details are shown on the MID at www.askMID.com.

Credit Checks

We, our insurers, or credit providers carry out checks, now, at renewal and in certain circumstances where policy amendments are requested, with credit reference agencies, against both public data (such as information from the electoral roll) and private data sources (such as your credit history) to verify your identity, assess your application for an insurance quotation or credit and offer you the best terms.

Miscellaneous

To ensure that we carry out your instructions accurately, to help us to continually improve our service and in the interests of security, we may monitor and/or record your telephone calls with us.

How to contact us

On payment of a statutory fee, you are entitled to receive a copy of the information we hold about you. You can also ask to remove personal data from our records. If you would like to do this please contact so that we can consider your request as we may need to retain data relating to your policy to meet our regulatory requirements. If you would like to contact us regarding your rights or if you have any questions about this notice you can write to the Data Protection Officer, BISL Limited, Pegasus House, Bakewell Road, Orton Southgate, Peterborough, PE2 6YS.

Information about products and Services

With your permission, Marks & Spencer Financial Services plc, other members of the HSBC Group, members of the Marks and Spencer Group and other organisations approved by Marks and Spencer plc (which may include insurance companies) may share information about you to enable each of us to keep you informed about special offers, products and services available from the HSBC Group, the Marks and Spencer Group and selected third parties by post, telephone, email, mobile text and picture messaging. You agree that, to determine which products or services may be of interest to you, information about you may be analysed. If you do not want to be contacted about such special offers, products and services please let us know.

Change of Insurer

Periodically, for commercial reasons, M&S Insurance may decide to change its chosen insurer(s). In some circumstances we will write to you not less than 21 days before your current insurance expires with details of the new proposed insurer and any other changes to your policy cover.

Renewal Information

Each year we will send you renewal terms. These may include renewing to a different M&S Insurance provider if your existing insurer is not offering renewal. If you pay your premium by Direct Debit, credit or debit card or other continuing payment authority, your existing policy may automatically be renewed. If we are able to do this, unless we hear from you, your cover will automatically be renewed to the insurer named in our renewal letter. The renewal terms will include any changes that apply to your policy cover. If you do not want to renew your policy, please let us know before the renewal date. If you do not tell us and your policy is renewed, we will continue to deduct the new premium from your bank or credit card account.

Your Obligations

It is important that the information you provide throughout the quote and duration of the policy is accurate. Failure to disclose correct and complete information to the best of your knowledge and belief may result in increased premiums, refusal of a claim or not being fully paid, your policy being cancelled or being made null & void and treated as if it never existed. Proof of No Claims Discount (NCD) may be required if you take out a policy which a NCD has been applied. This proof should be a renewal notice, policy schedule or letter from your previous Insurance Company, which shows the main driver as the policyholder and the NCD earned. N.B. This NCD can only be used on one policy at any one time and must have been used on a policy within the last 24 months.