

## Contract of Insurance

The contract of insurance between the principal policyholder, who acts on behalf of himself/herself and all persons insured, and us consists of the following elements, please read them and keep them safe:

- your policy booklet(s);
- information contained on your application form and/or 'Information Provided by You' document;
- your schedule (including any clauses shown on it);
- certificate of motor insurance;
- information under the heading 'Important Information' which we give you when you take out or renew your policy;
- changes to your policy or important information in notices we give you at renewal.

In return for the principal policyholder paying the premium and complying with the policy terms and conditions we will insure the persons insured for anything shown in your policy booklet which your schedule shows is covered during the period of insurance. It is the principal policyholder's responsibility to ensure that all persons insured are aware of the terms of this policy.

## Important Notice – Information and Changes We Need to Know About

You must always take reasonable care to give full and correct answers to the questions we ask.

You must also tell us if anything on your policy schedule or, 'Information Provided by You' document is incorrect or changes during your policy period.

You also need to tell us about:

- A change to the persons insured.
- Motoring convictions (driving licence endorsements, fixed penalties or pending prosecutions for any motoring offences) for any of the persons insured, or to be insured.
- Criminal convictions for any of the persons insured, or to be insured.
- A change of vehicle.
- Any vehicle modifications.
- Any change affecting ownership of the vehicle.
- Any change in the way that vehicle is used.

When you tell us about a change we will tell you if this affects your policy (for example if we can no longer offer cover or if we need to change your premium). If you don't give us full and correct information, or tell us about the above changes, we may:

- change your premium, excess or cover
- refuse to pay all or part of a claim or cancel your cover.

It is an offence under the Road Traffic Acts to provide incomplete or inaccurate information to the questions asked in your application for the purpose of obtaining a certificate of motor insurance.

If you are unsure whether you need to tell us of a change please call **0800 656 9708**

We recommend you keep a record (including copies of letters) of all information provided to us for your future reference.

## Data Protection – Privacy Notice

### Personal Information

We collect and use personal information about you so that we can provide you with a policy that suits your insurance needs. This notice explains the most important aspects of how we use your information but you can get more information about the terms we use and view our full privacy policy at [aviva.co.uk/privacypolicy](http://aviva.co.uk/privacypolicy) or request a copy by writing to us at Aviva, Freepost, Mailing Exclusion Team, Unit 5, Wanlip Road Ind Est, Syston, Leicester LE7 1PD.

The data controller responsible for this personal information is Aviva Insurance Limited as the insurer of the product. Additional controllers include Aviva UK Digital Limited, who are responsible for the sale and distribution of the product and any applicable insurers, reinsurers and brokers we use.

### Personal information we collect and how we use it

We will use personal information collected from you and obtained from other sources:

- to provide you with insurance: we need this to decide if we can offer insurance to you and if so on what terms, to administer your policy, handle any claims and manage any renewal.
- to support legitimate interests that we have as a business: We need this to:
  - manage arrangements we have with our insurers, reinsurers and brokers,
  - for the detection and prevention of fraud,
  - to help us better understand our customers and improve our customer engagement. This includes profiling and customer analytics which allows us to make certain predictions and assumptions about your interests, make correlations about our customers to improve our products and to suggest other products which may be relevant or of interest to customers, which includes marketing products and services to you,
- to meet any applicable legal or regulatory obligations: we need this to meet compliance requirements with our regulators (e.g. Financial Conduct Authority), to comply with law enforcement and to manage legal claims, and
- to carry out other activities that are in the public interest: for example, we may need to use personal information to carry out anti-money laundering checks.

We may also use personal information about other people, for example family members you wish to insure on a policy. **If you are providing information about another person we expect you to ensure that they know you are doing so. You might find it helpful to show them this privacy notice.**

The personal information we collect and use will include name, address, date of birth, financial information and details of your vehicle(s). If a claim is made we will also collect personal information about the claim from you and any relevant third parties. We may also need to ask for details relating to the health or any unspent offences or criminal convictions of you or somebody else covered under your policy. We recognise that information about health and offences or criminal convictions is particularly sensitive information. We'll ensure that we only use that information where we need to for our insurance purposes (including assessing the terms of your insurance contract, dealing with changes to your policy and/or dealing with claims).

There may be times when we need your consent to use personal information for a specific reason, if this happens we will make this clear to you at the time. If you give us consent to using personal information, you are free to withdraw this at any time by contacting us at [dataprt@aviva.com](mailto:dataprt@aviva.com). Please note that if consent to use this information is withdrawn we will not be able to continue to process the information you gave us for this/these purpose(s). This would not affect our use of the information where consent is not required.

Of course, you don't have to provide us with any personal information, but if you don't provide the information we need we may not be able to proceed with your application or any claim you make.

Some of the information we use as part of this application may be provided to us by a third party. This may include information already held about you and your vehicle(s) within the Aviva Group, including details from previous quotes and claims, information we obtain from publicly available records, our trusted third parties and from industry databases, including fraud prevention agencies and databases.

## Databases we use for Underwriting and Fraud Prevention and Detection purposes

We may use your information to allow us to detect and prevent fraudulent applications and claims. For details relating to information held about you on the Claims Underwriting and Exchange Register and Motor Insurance Anti-Fraud and Theft Register please visit [insurancedatabases.co.uk](http://insurancedatabases.co.uk).

For details relating to information held about you by the Driver and Vehicle Licensing Agency (DVLA) please visit [dvla.gov.uk](http://dvla.gov.uk)

## How your data is used and shared by insurers and databases in relation to motor insurance

The data you provide will be used by us and shared with other insurers as well as certain statutory and other authorised bodies for:

- Insurance underwriting purposes i.e. to examine the potential risk in relation to your (and/or a third party's) prospective policy so that we can:
  - Consider whether to accept the relevant risk;
  - Make decisions about the provision and administration of insurance and related services for you (and members of your household);
  - Validate your (or any person or property likely to be involved in the policy or claim) claims history (at any time including upon application for insurance, in the event of an accident or a claim, or at a time of renewal).
- Management Information purposes. To analyse insurance and other markets for the purposes of:
  - Portfolio assessment;
  - Risk assessment;
  - Performance reporting;
  - Management reporting.
- Anti-fraud purposes. To detect and prevent fraudulent claims and/or activities by:
  - Sharing information about you with other organisations and public bodies including the police;
  - Tracing debtors or beneficiaries, recovering debt, managing your accounts and/or insurance policies;
  - Undertaking fraud searches. Insurers pass information to fraud prevention agencies and databases including the Claims Underwriting and Exchange Register and where appropriate the Motor Insurance Anti-Fraud and Theft Register by Insurance Database Services Limited (IDSL). This helps insurers check information and prevent fraudulent claims. When we deal with your request for insurance we may search these registers.
- Compliance with legal obligations and responsibilities.
  - Claims management – In the event of a claim we may need to disclose information with any other party involved in that claim such as third parties involved in the incident, their insurer, solicitor or representative and medical teams, the police or other investigators. We also may have to investigate your claims and conviction history.
  - Complaints management – If you make a complaint about the service we have provided, we may be obliged to forward details about your complaints, including your personal information, to the relevant ombudsman.
  - Information about 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 DVLNi, the Insurance Fraud Bureau and other bodies permitted by law. This information may be used for purposes permitted by law, which include but are not limited to:
    - Electronic Licensing;
    - Continuous insurance enforcement;
    - Law enforcement (prevention, detection, apprehension and/or prosecution of offenders);
    - 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 European Economic Area or certain other territories), insurers and/or the MIB may search the MID to obtain relevant information.

Persons (including his or her appointed representative) 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 current 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 current registration number details are shown on the MID at [askmid.com](http://askmid.com).

## How your data will be processed

- Information which is supplied to fraud prevention agencies and databases such as IDSL and MID can include details such as your name, address and date of birth together with details of any injury arising from a claim.
- Your data may be supplied to databases in order to facilitate automatic no claim discount validation checks.
- Your data may be transferred to any country, including countries outside of the European Economic Area, for any of the purposes mentioned above.
- Under your policy you must tell us about any incident (such as an accident or theft) which may or may not give rise to a claim. When you tell us about an incident, we will pass information relating to it to the fraud prevention agencies and databases such as IDSL.

You can ask for more information about this. If you require such information, please contact Aviva Insurance Limited.

## How we use your data - Driving Licence Number

Insurance underwriting purposes i.e. to examine the potential risk in relation to your (and/or a third party's) prospective policy so that we can:

- Provide your (or any person included on the proposal) Driving Licence Number (DLN) to the DVLA to confirm your (or the relevant person included on the proposal) licence status, entitlement and relevant restriction information and endorsement/conviction data. Searches may be carried out prior to the date of the insurance policy and at any point throughout the duration of your insurance policy including at the mid-term adjustment and renewal stage. A search of the DLN with the DVLA should not show a footprint against your (or another relevant person included on the proposal) driving licence.
- Searches may be carried out at point of quote and, if an insurance policy is accepted, at renewal stage.

Please note that if you give us false or inaccurate information it may invalidate your insurance policy/prospective insurance policy or it could affect the amount we pay to settle any claims you make under the policy.

## Credit Reference Agency Searches

We carry out a quotation search from a credit reference agency. We do this when you ask us for a quote, when we prepare your renewal and sometimes if you change your cover so that we can offer you our standard insurance products which include a monthly credit payment option. We also use data from our credit reference agency to verify your identity, carry out risk profiling for the prevention of fraud and for assessing your insurance risk which allows us to calculate the price for our standard and Aviva Plus insurance products.

Any quotation searches we carry out will appear on your credit report and will be visible to other credit providers but it will be clear it's a quotation and not a credit application by you.

The identity of our credit reference agency and the ways they use and share personal information are explained in more detail at [callcredit.co.uk](http://callcredit.co.uk). You can also check the information they hold about you.

## Automated decision making

We carry out automated decision making to decide whether we can provide insurance to you and on what terms and to carry out fraud checks. In particular, we use an automated underwriting engine to process the personal information you provide as part of this application process. This will include information such as, address, post code, age, marital status and employment details of you and any other drivers as well as details of your vehicle(s) and any relevant health or conviction data. The automated engine may validate the information you provide against other records we hold about you in our systems and third party databases, including public databases. We may also supplement the information you provide with information from third parties who can provide more information about you (for example credit reference agency searches) or your vehicle (for example through DVLA databases). We do this to calculate the insurance risk and how much the cover will cost you. Without this information we are unable to provide a price that is relevant to your individual circumstances and needs. We regularly check the way our underwriting engine works to ensure we are being fair to our customers. After the automatic decision has been made, you have the right to speak to someone from Aviva who may review the decision and provide a more detailed explanation. If you wish to invoke this right please contact us at [dataprt@aviva.com](mailto:dataprt@aviva.com) or call us on **0800 656 9708**.

## On-line information

When you visit one of our websites, we may record information about your computer or mobile device, including hardware and software used, general location, when and how you interact with our websites. This information is used to note your interest in our websites, improve customer journeys, determine pricing and/or offer you available discounts.

## How we share your personal information with others

We may share your personal information:

- with the Aviva Group, our agents and third parties who provide services to us and other insurers (either directly or via those acting for the insurer such as loss adjusters or investigators) to help us administer our products and services,
- with regulatory bodies and law enforcement bodies, including the police, e.g. if we are required to do so to comply with a relevant legal or regulatory obligation,
- with other organisations including insurers, public bodies and the police (either directly or using shared databases) for fraud prevention and detection purposes,
- with reinsurers who provide reinsurance services to Aviva and for each other. Reinsurers will use your data to decide whether to provide reinsurance cover, assess and deal with reinsurance claims and to meet legal obligations. They will keep your data for the period necessary for these purposes and may need to disclose it to other companies within their group, their agents and third-party service providers, law enforcement and regulatory bodies.

Some of the organisations we share information with may be located outside of the European Economic Area (“EEA”). We’ll always take steps to ensure that any transfer of information outside of Europe is carefully managed to protect your privacy rights. For more information on this please see our Privacy Policy or contact us.

## Marketing

We may use personal information we hold about you across the Aviva Group to help us identify and tailor products and services that may be of interest to you. We will only communicate with you in accordance with any marketing preferences you have provided to us. We will continue to do this after your policy has ended.

If you wish to amend your marketing preferences, change how you would like us to communicate with you or tell us to stop marketing you, you can do so in the following ways:

- Update in MyAviva
- Contact us by:
  - Phone: 01603 622200 or +44 1603 604999 (from abroad)
  - Email: [helpdesk@aviva.co.uk](mailto:helpdesk@aviva.co.uk)
  - Post: Aviva, Freepost, Mailing Exclusion Team, Unit 5, Wanlip Road Ind Est, Syston, Leicester LE7 1PD

## How long we keep your personal information for

We maintain a retention policy to ensure we only keep personal information for as long as we reasonably need it for the purposes explained in this notice. We need to keep information for the period necessary to administer your insurance and deal with claims and queries on your policy. We may also need to keep information after our relationship with you has ended, for example to ensure we have an accurate record in the event of any complaints or challenges, carry out relevant fraud checks, or where we are required to do so for legal, regulatory or tax purposes. We will also use this information for marketing purposes.

## Your rights

You have various rights in relation to your personal information, including the right to request access to your personal information, correct any mistakes on our records, erase or restrict records where they are no longer required, object to use of personal information based on legitimate business interests, including profiling and marketing, ask not to be subject to automated decision making if the decision produces legal or other significant effects on you, and data portability. For more details in relation to your rights, including how to exercise them, please see our full privacy policy or contact us – refer to the “Contacting us” details below.

## Contacting us

If you have any questions about how we use personal information, or if you want to exercise your rights stated above, please contact our Data Protection team by either emailing them at [dataprt@aviva.com](mailto:dataprt@aviva.com) or writing to the Data Protection Officer, Level 4, Pitheavis, Perth PH2 0NH.

If you have a complaint or concern about how we use your personal information, please contact us in the first instance and we will attempt to resolve the issue as soon as possible. You also have the right to lodge a complaint with the Information Commissioners Office at any time.

## Fraud Prevention and Detection

In order to prevent and detect fraud we may at any time:

- Undertake searches against your (or any person included on the proposal) DLN against details held by the DVLA to confirm your licence status, entitlement and restriction information and endorsement/conviction data. This helps insurers check information to prevent fraud and reduce incidences of negligent misrepresentation and non-disclosure. A search of the DLN with the DVLA should not show a footprint against your (or another relevant person included on the proposal) driving licence;
- Share information about you with other organisations and public bodies including the Police;
- Undertake credit searches and additional fraud searches;
- Check and/or file your details with fraud prevention agencies and databases, and if you give us false or inaccurate information and we suspect fraud, we will record this. We can supply on request further details of the databases we access or contribute to. If you require further details please contact us at: Policy Investigation Unit, Aviva, Cruan Business Centre, Westerhill Business Park, 123 Westerhill Road, Bishopbriggs, Glasgow G64 2QR. Telephone: 0345 300 0597. Email: [PIUUKDI@AVIVA.COM](mailto:PIUUKDI@AVIVA.COM)  
We and other organisations may also search these agencies and databases to:
- Help make decisions about the provision and administration of insurance, credit and related services for you and members of your household;
- Trace debtors or beneficiaries, recover debt, prevent fraud and to manage your accounts or insurance policies;
- Check your identity to prevent money laundering, unless you provide us with other satisfactory proof of identity.

### Claims history

- Under the conditions of your policy you must tell us about any insurance related incidents (such as fire, water damage, theft or an accident) whether or not they give rise to a claim. When you tell us about an incident we will pass information relating to it to a database.
- We may search these databases when you apply for insurance, in the event of any incident or claim, or at time of renewal to validate your claims history or that of any other person or property likely to be involved in the policy or claim.

You should show these notices to anyone insured to drive the vehicle(s) covered under the policy.

## Renewing Your Insurance

We will contact you in writing at least 21 days before your renewal date and will either:

- (a) tell you that the policy will automatically be renewed and the renewal premium collected by your chosen payment method; or
- (b) let you know that we are unable to renew your insurance.

If we don't offer renewal we will tell you why, for example:

- the product is no longer available;
- we reasonably suspect fraud;
- your claims history is poor;
- we have changed our eligibility criteria;
- you no longer meet our eligibility criteria; or
- you have not taken reasonable care to provide complete and accurate answers to the questions we ask.

If we offer renewal we will tell you:

- about any changes we are making to your policy terms and conditions;
- to check this insurance continues to meet your needs;
- to check that the information we have is still correct; and
- next year's price.

If you wish to make any changes at renewal, please call **0800 656 9708**

You can cancel your policy at any time. Please see the **GENERAL CONDITIONS** in your policy booklet.

## Ensuring You Have Continuous Cover

If you are thinking of cancelling or not renewing with us, make sure you can get the alternative cover you need before your policy ends.

## Your Cancellation Rights

You have a statutory right to cancel your policy within 14 days from the day of purchase or when you receive your policy or renewal documents, whichever is the later.

- (a) If you cancel before the cover start date you will receive a refund of any premium you have paid.
- (b) If you cancel after cover has started, as each monthly payment provides one calendar month of cover, you will receive a refund based on the number of days left in the month of cover which you have paid for.

See the **GENERAL CONDITIONS** in your policy booklet for full details of the cancellation conditions.

To cancel please call **0800 656 9708**

## What to Do If You Are Unhappy

If you have a complaint please contact us as shown below:

If Your Complaint is About:	Who to Contact
A motor claim (other than a breakdown)	Call <b>0800 158 4093</b>
A Breakdown claim	Call <b>0330 159 0360</b>
Anything else related to your motor insurance	Call <b>0800 656 9708</b> or write to: Customer Relations, Cruan Business Centre, Westerhill Business Park, 123 Westerhill Road, Bishopbriggs, Glasgow G64 2QR.

We will acknowledge your complaint promptly. If we can't fully investigate and respond to your complaint within 10 working days, we will let you know our expected response date. If you are unhappy with the outcome of your complaint you may refer the matter to:

The Financial Ombudsman Service, Exchange Tower, London E14 9SR. Telephone **0800 023 4567** (free from UK landlines and mobiles) or **0300 123 9123** Website: **-financial-ombudsman.org.uk**

Whilst we are bound by the decision of the Financial Ombudsman Service, you are not. Following the complaints procedure does not affect your right to take legal action. You can also use the European Commission's Online Dispute Resolution (<http://ec.europa.eu/odr>) service to make a complaint. The purpose of this platform is to identify a suitable Alternative Dispute Resolution (ADR) provider and we expect that this will be the Financial Ombudsman Service. Please be aware that the Financial Ombudsman Service will only be able to consider your complaint after we have had the opportunity to consider and resolve it.

## Aviva Regulatory Status

We are authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority with firm reference no 202153. Details of our registered address can be found at the end of this document.

You may check this information and obtain further information about how the Financial Conduct Authority protects you by visiting [fca.org.uk](http://fca.org.uk).

## Financial Services Compensation Scheme

Depending on the circumstances of your claim you may be entitled to compensation from the Financial Services Compensation Scheme (FSCS) if we cannot meet our obligations. See [fscs.org.uk](http://fscs.org.uk) for more details.

## Choice of Law

The law of England and Wales will apply to this contract unless:

- at the date of the contract you live in Scotland, Northern Ireland, the Channel Islands or the Isle of Man, in which case the law of that country will apply; or
- you and we agree otherwise.

## Use of Language

All communications relating to this contract will be in English.

## Telephone Call Recording and Charges

Calls to 0800 numbers from UK landlines and mobiles are free. The costs of calls to 03 prefixed numbers are charged at national call rates (charges may vary depending on your network provider) and are usually included in inclusive minute plans from landlines and mobiles. For our joint protection telephone calls may be recorded and/or monitored.