

## **MGAA Privacy Notice**

**March 2024**

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## 1. MGAA Privacy Notice

As an underwriting membership association dedicated to serving the general insurance industries managing general agents, we are acutely aware of the importance of maintaining privacy.

Keeping member's personal data secure and complying with all relevant data protection laws is at the forefront in our minds.

We will be designated as a data controller for any personal data we obtain from you and your respective employers and as such, we will be responsible for complying with all relevant and future data protection laws.

This privacy notice describes what personal data we have collected during our past relationship as well as any that we intend to collect from you in the future. It will also set out how we hold and process such data and, more importantly, the procedures and controls in place to identify how such information is used.

By agreeing to provide us with your personal data, you are acknowledging that we are at liberty to use that data as set out in this privacy notice. But, in any event, you are able to opt-out of the MGAA using your data for any reason and may exercise various rights under data protection law, including the right to have us remove from our records all of the personal data that we hold about you.

As we are a corporate membership association, we will have designated key contacts at member firms. These key contacts will also be providing personal data and data regarding their employees etc. Consequently, we would expect the key contacts to ensure that our privacy policy has been drawn to the attention of such individuals and that they have obtained the appropriate permission to share your personal data with the MGAA.

To ensure that we keep up with changing legislation and appropriate guidelines it may be necessary for us to make amendments to this privacy notice. It is therefore recommended that you check our website periodically, to ensure that you are aware of this policy from time to time.

For the sake of good order our privacy notice is sub-divided into sections below to guide you in the specific areas that may interest you.

We do not knowingly collect data relating to children and so this policy does not relate to information for individuals under 18 years of age. It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

## 2. What Personal Data do we collect?

Personal data, or personal information, is any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

**Identity Data** includes first name, last name, username or similar identifier, marital status, title, date of birth and gender.

**Contact Data** includes address, email address and telephone numbers.

**Financial Data** includes bank account and payment card details.

**Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.

**Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.

**Profile Data** includes your username and password (in relation to our website), your interests, preferences, feedback, and survey responses.

**Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

**Usage Data** includes data relating to your usage of our website and its features.

We also collect, use, and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with access to our events or to the benefits of your membership). In this case, we may have to cancel your membership with us, but we will notify you if this is the case at the time.

### 3. How do we collect your Personal Data?

We use different methods to collect data from and about you including through:

#### **Direct Interactions**

You may give us your identity, contact and financial data by filling in forms, by corresponding with us by post, phone, and email or otherwise.

This includes personal data you provide when you:

- apply for membership.
- create an account on our website.
- subscribe to our service or publications.
- request marketing to be sent to you.
- enter a competition, promotion, or survey.
- attend an event, whether virtually or in person; or
- give us some feedback.

As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details.

### 4. How we use your Personal Data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- where we need to perform the contract, we are about to enter into or have entered into with you.
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests; or
- where we need to comply with a legal or regulatory obligation.

### 5. Purposes for which we process your Personal Data

We have set out, in table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

*Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground, we are relying on to process your personal data where more than one ground has been set out in the following table.*

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis</b>
To register you as a member	Identity Contact	Performance of a contract
To process and deliver your membership package: Manage payments, fees and charges Collect and recover money owed to us	Identity Contact Financial Transaction Marketing & Communications	Performance of a contract with you Legitimate interest (to recover debts due to us)
To manage our relationship with you which will include: Notifying you about changes to our terms or privacy notice Asking you to leave a review or take a survey	Identity Contact Profile Marketing & Communications	Performance of a contract Necessary to comply with a legal obligation Necessary for our legitimate interests (to keep our records updated and to study how customers use our products / services)
To enable you to partake in a prize draw, competition or complete a survey	Identity Contact Profile Usage Marketing & Communications	Performance of a contract with you Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To administer and protect the association and its website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	Identity Contact Technical	Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	Identity Contact Profile Usage Marketing & Communications Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, services, marketing, member relationships and experiences	Technical Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	Identity Contact Technical Usage Profile	Necessary for our legitimate interests (to develop our products/services and grow our business)

To enable you to partake in events, whether virtually or in person for which you have registered and to share relevant information about those events with you.	Identity Contact	Necessary for our legitimate interests (for the running of the events)
To deliver training courses and study materials in relation to the MGA Assess product	Identity Contact Financial Technical Usage Profile	Performance of a contract
To provide a search function of our members lines of business	Identity Contact	Necessary for our legitimate interests (to promote the MGA sector and our members)

## 6. MGAA Marketing

We may send you marketing information by post or email. We will only market to you if you have given prior consent for us to do so and with each marketing communication you will have the option to opt-out. Individual employees can object to our processing their data for marketing purposes, and we extend this right to corporate subscribers.

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and have in place the following personal data control mechanisms:

### Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing). You will receive marketing communications from us if you have requested information from us or if you provide us with your details.

### Third-Party Marketing

We will obtain your express opt-in consent before we share your personal data with any company outside the MGAA for marketing purposes.

### Opting out

You can ask us or third parties to stop sending you marketing messages at any time by contacting us.

### Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see section 11 of this document.

### Change of Purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to receive an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us. If we need to use

your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 7. Who do we share your Personal Data with?

We may have to share your personal data with the parties set out below for the purposes set out in the table in section 5 above:

- IT suppliers
- Conference and events suppliers
- Other related organisations including the Chartered Insurance Institute (CII)
- MGAA board members
- MGAA Committee members
- Other MGAA Members

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 8. Transfers of Personal Data to Third Countries or International Organisations

Article 45 – Transfers on the basis of an adequacy decision: On 28 June 2021 the EU Commission adopted decisions on the UK's adequacy under the EU's [General Data Protection Regulation](#) (EU GDPR). The European Commission found the UK's data protection regulations to be adequate. At the same time, the UK government stated that transfers of data from the UK to the EEA continue to be permitted. This means that we can continue to transfer personal data from the EU and the EEA to the UK and from the UK to the EU and the EEA without the need for additional safeguards.

Article 46 – Transfers subject to appropriate safeguards: In the absence of an adequacy decision, we are permitted to transfer personal data to third countries or international organisations if we ensure that we and our third-party partners have "appropriate safeguards". For us, these safeguards are "Standard Data Protection Clauses", which we include in all of our contracts with third party partners.

## 9. How we protect your Personal Data

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 10. How long we keep your Personal Data for

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.



To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for personal data are contained within our retention policy, which you can request from us at any time.

## 11. Your Rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided with your consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

**Information from other sources** we may use legal public sources such as the electoral roll and other third-party sources such as credit reference agencies to obtain information about you, for example to verify your identity or check your credit history.

We also obtain information about you from credit reference agencies and similar third parties. Some personal information may be provided to us by third parties such as insurance companies, other insurance intermediaries and motor vehicle licensing authorities. In some cases, you will have previously submitted your personal information to them and given them approval to pass this information on for certain purposes.

Such information will only be obtained from reputable sources which operate in accordance with the General Data Protection Regulation.

## 12. Cookies

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. By continuing to browse the site, you are agreeing to our use of cookies. A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer.

You may block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site.

## 13. How to contact us

You can contact us at the address below:

Managing General Agents' Association  
8th Floor 1 Minster Court  
Mincing Lane  
London, EC3R 7AA

Tel: 0207 617 4443 or by using our contact form on the website. <https://www.mgaa.co.uk/>

Please send any comments about this policy to [info@mgaa.co.uk](mailto:info@mgaa.co.uk)

Registered in England & Wales No. 07378522  
VAT No. 273261215

Dated March 2024