



PRIVACY NOTICE OF O'LEARY LIFE LIMITED

O'LEARY LIFE LIMITED

O'Leary Life Limited hereafter O'Leary Life is an Investment Intermediary and Insurance Broker authorised and registered with the Central Bank of Ireland. Our highly qualified and experienced staff provide specialist advice across the broad spectrum of financial planning products including Pension Plans, Protection Insurance Policies and Investments which is tailored to the specific requirements of the customer. Further details of our services are provided in our Terms of Business document which we issue to all customers prior to providing a service or product.

O'Leary Life takes your privacy and confidentiality seriously. You provide us with personal information and we want you to understand why we collect your data, what we do with it, who we share it with, why we share data and our legal obligations.

WHAT DOES THIS PRIVACY NOTICE DO?

This Privacy Notice, together with our Terms of Business, explains our information processing practices and your rights regarding your personal information. It applies to personal data we collect from you, that you provide to us and personal information we source from trusted third parties. This document is being provided to you in line with our obligations under the General Data Protection Regulation [GDPR]. From the 25 May 2018, the GDPR, together with applicable Irish requirements, will amend existing data protection law and place enhanced accountability and transparency obligations on organisations when using your information. O'Leary Life is a Data Controller under the GDPR and complies with its obligations pursuant to the GDPR for the collection, use and retention of all personal data. This is not a contractual document, and it does not create any rights or obligations on either party, beyond those which already exist under data protection law.

Please take time to read this notice carefully. If you have any questions about how we use your information, please contact us via the details as shown below.

DATA PROTECTION MANAGER

The Data Protection Manager is the primary point of contact at O'Leary Life for questions regarding personal information and may be contacted at details as shown below:

Email: mailus@olearylife.ie
Postal address: The Data Protection Manager
O'Leary Life, Lough Mahon House,
Blackrock, Cork.
Telephone: 021 4356000

WHY DOES O'LEARY LIFE NEED TO COLLECT AND STORE PERSONAL DATA?

To provide appropriate advice and perform transactions with Product Producers [Insurance/Investment Companies], we need to collect and store personal data, including sensitive information, if applicable. Your personal information will be used by us to understand your needs and objectives and to enable us to provide specialist advice to you on the products and/or services available to suit your specific requirements. This information may also be used for the performance, administration and management of contracts with Product Producers to which you are a party including pre-contract and claim stage. We are committed to ensuring that the information we collect, and use is appropriate for this purpose, and does not constitute an invasion of your privacy. In terms of being contacted for marketing purposes, we have a separate marketing consent form with more specific information about our marketing practices.

WHEN AND HOW O'LEARY LIFE COLLECTS YOUR INFORMATION

We obtain personal information in the following ways:

- When you request a service or product from us. For example, if you ask us to obtain insurance quotes or conduct a transaction on your behalf. We collate information at the initial point of contact with you and if applicable we aim to update this at events which trigger another event to occur, for example, reaching the age of retirement will trigger pension entitlements, or whenever you require a further service or product;
- When you attend the office of O'Leary Life or events run by us, you may provide personal information directly, or it may be provided by your colleagues or employer;
- When you use our website; a separate Privacy Notice in respect of information gathered via our website is available at www.olearylifelife.ie;
- If you contact us with a complaint or query;
- When you engage with us over social media;
- If you apply for a position at O'Leary Life, you may provide personal information directly [through an online recruitment portal, careers site or via correspondence], or it may be provided through an agency.

Other sources:

- If we perform services for certain type of clients, for example, a company, we may process personal information which such clients provide to us. This may impact you, for example, you may be a director of a client company, an employee of a client, a member of your employer's pension scheme or a beneficiary under a trust. Sometimes, such Customers may ask us to contact you directly;
- Persons who, on your written authority, may represent you, for example, your Accountant;
- Product providers;
- Other brokers within the O'Leary Insurance group of companies.

THE TYPE OF INFORMATION WE COLLECT

Data collected may vary depending on the Product Producer requirements. The types of data collected include but are not limited to:

- Data to identify you, including your contact information i.e. name, address, telephone number(s), email address, gender, date of birth, occupation, PPS number, photographic identification, nationality;
- Your financial details/financial circumstances as necessary i.e., employment, income, assets, liabilities, bank account details (where applicable);
- Your marital or civil status;
- Other sensitive information e.g. medical information which you provide to us, where necessary for the service to be provided;
- Information about you provided by others e.g. your spouse/partner, professional advisors, etc.;
- Information which you have consented to us using;
- Other personal information, if applicable e.g. criminal conviction data;
- Telephone recordings of conversations; and
- Information provided when exercising your rights.

If you are ever concerned about data someone in O'Leary Life has requested from you, please do not hesitate to contact our Data Protection Manager, details of which are set out above.

HOW WE USE YOUR PERSONAL DATA

The following is an itemised summary of the purposes for which we use personal information:

- Performing services for our Clients; we process personal information which our clients provide to us in order to perform our services. This may affect you, for example, where you are the employee of our client or the member of a client's pension scheme. It is the obligation of our client to ensure that you understand that your personal information will be disclosed to O'Leary Life;

- Administering our client engagements; we process personal information about our clients and the individual representatives of our corporate clients to carry out “Know your Client” checks and screening prior to starting a new engagement; carry out client communication, service, billing and administration; deal with client complaints and administer claims;
- Contacting and marketing our clients and prospective clients; we process personal information about our clients and the individual representatives of our corporate clients in order to contact our clients in relation to current, future and proposed engagements; send our clients newsletters and other marketing material; invite our clients to events [and arrange and administer those events];
- Understand and assess clients’ ongoing needs and offer products and services to meet those needs;
- Provide information and services as requested by clients;
- Determine eligibility and process applications for products and services as requested by you;
- Conduct processing necessary to fulfill other contractual obligations for you;
- Process and administer encashment/claims and where applicable manage claim disputes;
- Send you important information regarding changes to our policies, terms and conditions and other administrative functions;
- Execute monitoring and training;
- Conduct data analysis;
- Prevent, detect and investigate crime, including fraud and money laundering and analyse and manage other commercial risks;
- Develop new services;
- Market products and services [subject to appropriate consent];
- Carry out market research and analysis of our customer base and other individuals whose personal information we collect as explained in this Privacy Notice;
- Manage our infrastructure and business operations and comply with internal policies and procedures including those relating to auditing; finance and accounting; billing and collections; IT systems; data and website hosting; data analytics; business continuity; and records, document and print management;
- Resolve complaints and handle requests for data access or correction;
- Comply with applicable laws and regulatory obligations [including laws outside your country of residence] such as those relating to anti-money laundering and anti-terrorism; comply with legal process; and respond to requests from public and governmental authorities [including those outside your country of residence].

If we wish to use your personal information for a purpose which is not compatible with the purpose for which it was collected for, we will request your consent. In all cases, we balance our legal use of your personal information with your interests, rights and freedoms in accordance with applicable laws and regulations to make sure your personal information is not subject to unnecessary risk.

OUR LEGAL BASIS FOR PROCESSING YOUR PERSONAL INFORMATION

We collate, use and share information only where it is justified by a legal basis for doing so.

In the majority of cases, processing is justified on the basis that:

- the processing is necessary for the performance of a contract to which you are a party, or take steps [at your request] to enter into a contract, for example, the provision of an insurance/investment product/service or where we help an employer to fulfill a contractual obligation to you under an employment contract in relation to the delivery of pension entitlements.
- the processing is necessary to comply with our legal and regulatory obligations, e.g. under our Central Bank authorisations, interaction with the Data Protection Commission, Financial Services and Pensions Ombudsman, Revenue, Pensions Authority, when conducting Anti-Money Laundering checks, law enforcement agencies.
- the processing is necessary to protect your “vital interests” in exceptional circumstances e.g. where we suspect a fraud may be in the course of perpetration.

- the processing is in our legitimate interests (which you may object to) such as managing our business, providing service information, conducting marketing activities, training and quality assurance, and strategic planning. This is subject to your interests and fundamental rights.
- the processing is based upon your agreement or explicit consent to the using of your data in a specific way. You may withdraw your consent at any time.

SPECIAL CATEGORIES OF PERSONAL DATA

If it is deemed necessary to collect any special categories of personal data, such as health details, we will ensure *we will only process what is necessary and proportionate for the purposes of providing an insurance product or life assurance, an occupational pension, retirement annuity contract or any other pension arrangement.*

WITHDRAW CONSENT

If we are relying on your consent to process your data, you can withdraw this at any time. This does not affect the lawfulness of processing based on your consent before its withdrawal.

RETENTION

How long we retain your personal information depends on the purpose for which it was obtained and its nature. We are committed to ensuring that the information we collect, and use is appropriate for the purpose it was acquired for and does not constitute an invasion of your privacy. We will endeavour to only hold data for as long as is necessary unless otherwise required under applicable law.

Personal data will be processed in accordance with our Retention Schedule. This Retention Schedule is subject to legislation and regulatory rules we must follow, set by authorities such as the Central Bank of Ireland, Office of the Data Protection Commission, Financial Services and Pensions Ombudsman. The timescales may also depend on the type of financial or insurance, investment, or pension product provided to you. Personal data may be held in addition to periods as set down by the aforesaid criteria depending on individual business needs.

WHO ARE WE SHARING YOUR DATA WITH?

In our capacity as your insurance intermediary, the information you supply to us may be shared in confidence with:

- trusted third party service providers appointed by O'Leary Life to help us to process data, arrange transactions, and oversee our business. Examples include IT service providers who manage our IT office systems and customer relationship management systems
- trusted Product Providers with whom you may wish to enter into a contract with;
- any agent authorised by you to act on your behalf;
- regulatory bodies; and
- Other companies within the O'Leary Insurance group.

Any third parties that we may share your data with are contractually obliged to keep your details secure, and to use them only to fulfil the service they provide.

TRANSFER OF INFORMATION OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)

It is our aim to retain any information which we hold within the EEA. However, given the nature of our business relationships with certain product providers, such providers may have legitimate business reasons to transfer information outside the EEA. The product providers with which we arrange business on your behalf are obliged to comply with the provisions of the GDPR in relation to the transfer of data within or outside the EEA.

DATA SECURITY

O'Leary Life's intent is to strictly protect the security of your personal information; honor your choice for its intended use; and carefully protect your data from loss, misuse, unauthorised access or disclosure, alteration or destruction. We have taken appropriate steps to safeguard and secure information we collect. For more information about our security measures please see our Data Protection Policy, which can be requested by emailing mailus@olearylife.ie

Occasions will arise when customer information is passed outside O’Leary Life to our trusted Third Party Suppliers, but they will only act upon instruction from O’Leary Life in order to perform the services required. They are contractually bound to maintain the confidentiality of personal information and may not use the information for any unauthorised purpose.

IMPLICATIONS OF NOT PROVIDING YOUR DATA

If you do not provide information we may not be able to:

- provide requested products or services to you;
- continue to provide and/or renew existing products or services;
- assess suitability; and
- where relevant, give you a recommendation for a financial product or service which you require.

PROFILING – AUTOMATIC DECISION MAKING

We may analyse your information using automated means:

- to help us understand your needs and develop our relationship with you;
- to help us to offer you products and service information we believe will be of interest to you, providing that you have given us consent to use your data for this purpose;
- by using product providers IT systems and similar systems where you apply for a financial product e.g. to obtain underwriting terms from an insurer, analyse your investment risk profile, affordability testing.

The types and sources of the information we process by automated means about you are listed under heading Type of Information we Collect above. We also use automated processing to assist in compliance with our legal obligations in connection with prevention of money laundering, fraud and terrorist financing.

The results of the automated decision making may limit the products or services that we can provide to you. You can contest the decision based solely on automated decision making and require O’Leary Life to exercise human intervention. Where you have any concerns, you are entitled to discuss them with a member of our staff.

UP TO DATE INFORMATION

In order to ensure our records are up to date and accurate or should you wish to amend any personal records, please contact us using the contact information set out above.

MARKETING

If you no longer wish to receive direct marketing from O’Leary Life, please contact us using the contact information set out above.

DATA SUBJECT RIGHTS

We, O’Leary Life, facilitate the data subject’s rights in line with our data protection policy and the subject access request procedure outlined in that policy. This policy document is available on request by contacting us at mailus@olearylife.ie.

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access: You have the right to request a copy of the information that we hold about you.
- Right of rectification: You have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right to be forgotten: In certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right to restriction of processing: Where certain conditions apply to have a right to restrict the processing.
- Right of portability: You have the right to have the data we hold about you transferred to another organisation.
- Right to object: You have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling: You also have the right to be subject to the legal effects of automated processing or profiling
- Right to judicial review: In the event that O’Leary Life refuses your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined in below.

If we are unable to deal with your requests for data access fully within a calendar month we may extend this period by a further two calendar months and explain the reason why. If you make your request electronically, we will try to provide you with the relevant information electronically.

As we have indicated in the processing of your personal data, should there be a third party involved, all of the above requests will be forwarded to the relevant third party.

COMPLAINTS

If you wish to make a complaint about how your personal data is being processed by O'Leary Life (or third parties as described above), or how your complaint has been handled, you have the right to lodge a complaint with the Data Protection Manager of O'Leary Life directly and with the Data Protection Commission.

RESPONSIBILITIES

The Data Protection Manager and O'Leary Life is responsible for ensuring this Privacy Notice is correct and that mechanisms exist such as having the Privacy Notice on O'Leary Life's website to make all data subjects aware of the contents of this Notice prior to O'Leary Life commencing collection of personal data.

QUESTIONS REGARDING THE PRIVACY NOTICE AND CONDITIONS OF USE

If you have any questions about our Privacy Notice and Conditions of Use, or any concern about privacy at O'Leary Life, please contact us by e-mail at mailus@olearylifec.ie

EFFECTIVE DATE

Our privacy statement is subject to changes going forward we endeavour to always keep this updated but if you have any questions, please contact us at any time.