

Privacy notice for our customers

in accordance with Art. 13 and 14 of Directive (EU) 2016/679 – General Data Protection Regulation (GDPR)
(Status as of: August 2020)

Below you will find more information on how we process your personal data. "Personal data" refers to any information that relates to a natural person (such as names, addresses, contract data).

Data controller

WIENER STÄDTISCHE Versicherung AG Vienna Insurance Group
Schottenring 30, 1010 Vienna
Telephone: +43 (0)50 350-20000 or email: kundenservice@wienerstaedtische.at

If you have any concerns or questions about the processing of your data by our company, we request that you contact our Data Protection Officer at datenschutz@wienerstaedtische.at.

Purpose and legal basis for processing your data

The processing of your personal data for the purposes of the insurance business generally takes place only as far as is necessary for the justification, implementation and termination of insurance relationships, in particular for the processing of an instruction, the assessment of the risk to be insured, the fulfilment of advisory obligations, the inspection of a benefit obligation and for the internal examination of timely debt conversion. It is also used to check and regulate claims by injured parties, to check and settle recourse claims, to conclude and execute reinsurance contracts, to develop rates, products and services, to generate statistics, for insurance-related research purposes, e.g. casualty research, to combat abuse, to fulfil legal and regulatory obligations or for advertising purposes as well as market and opinion research.

Processing operations for contractual fulfilment in accordance with Art. 6(1)(b) GDPR

The processing of your personal data is a mandatory requirement for the justification of our insurance relationship with you. We require these data, for example, to check whether and under which conditions your insurance relationship exists and to determine your insurance claim in an insurance event. Furthermore, we use your personal data to provide other support services, such as to inform you about changes to the legal framework if this is relevant to your insurance relationship.

Processing operations to fulfil a legal obligation in accordance with Art. 6(1)(c) GDPR

As an insurance company, we are subject to regulatory requirements and permanent institutional supervision. As a result, we may have to disclose personal data relating to our policy holders to the financial market authority at their request. Legal regulations may also require that we process your personal data, for example, to comply with retention periods under the Federal Fiscal Code, to demonstrate the fulfilment of advisory obligations in accordance with the EU Mediation Directive, based on anti-money laundering and anti-terrorism laws or to provide information to public authorities or courts. In all these cases, however, we always ensure that the legal bases are complied with and that the protection of your data is guaranteed.

Processing operations to safeguard legitimate interests in accordance with Art. 6(1)(f) or to establish, exercise or defend legal claims in accordance with Art. 9(2)(f) GDPR

In addition to processing your data for contractual fulfilment or due to a legal obligation, we may have to process your data for legitimate interests. However, this is always done within the scope of the mandatory balancing of interests. Processing for legitimate interests includes direct advertising, the implementation of creditworthiness checks, combating fraud or the establishment or defence of legal claims.

Processing operations for health and social care and treatment or for the management of health and social care systems and services in accordance with Art. 9(2)(h) GDPR in connection with Section 11a-d of the Austrian Insurance Contract Act (VersVG)

For some of our insurance products, primarily in health, life or casualty insurance, it is also necessary to process special categories of your personal data. This takes place on the basis of Art. 9(2)(h) GDPR in connection with Section 11a(1) VersVG for the defined purposes, i.e. for the assessment of whether and under which conditions a contract is concluded or modified, for the management of existing insurance contracts or for the assessment and fulfilment of claims arising from an insurance contract. We identify these data in line with the provisions of Section 11a(2) VersVG.

Processing operations you have consented to in accordance with Art. 6(1)(a) GDPR

On the basis of declarations of consent provided by you separately, we process your data in order to provide you with further information about products, contractually supplementary services, surveys for market and opinion research, competitions and benefit events by telephone, e-mail, fax, SMS or apps.

If your consent is required for the processing of your data, we shall only process such data for the appropriate purpose after you have expressly issued your consent. If we process your data on the basis of consent that you have issued, you may withdraw this consent at any time with the consequence that we will no longer process your data for the purposes specified in the consent from the point at which the consent is withdrawn.

Recipients of your data

The protection of your data is important to us. Therefore, data shall only generally be transferred if there is a contractual or legal requirement where this is necessary to safeguard our overriding legitimate interest or you have issued your consent to do so. In such cases, your data shall only be transferred to the extent that is absolutely necessary.

For example, your insurance broker or insurance agent may receive your personal data on the basis of and within the framework of the power of representation you have granted to them.

Due to the complex nature of modern data processing, we sometimes have to use service providers and commission them with the processing of your data. We may also be required to process your data within our insurance group in order to process business cases. However, in all cases where service providers are used, we shall always take care to ensure that a corresponding processor agreement has been concluded in accordance with Art. 28 GDPR.

You can find a detailed overview of possible data recipients in the document "Data recipients" on our homepage.

Data security

We take extensive technical and organisational measures to make our data processing secure. In particular, this concerns the protection of your personal data against unintentional or unlawful destruction, loss, modification or unauthorised disclosure of or unauthorised access to personal data that are transferred or saved or are processed in another way.

The protective measures include, for example, the use of modern security software and encryption procedures, physical access control, authorisation concepts and other precautions in order to defend against and prevent attacks.

As a licensed insurance company, any kind of data transfer within our company is encrypted. We also have encryption options for external data transfer, provided that you, as the recipient of our communications, support the technical requirements for decryption.

In addition, we guarantee that our internal data centres comply with all ISO 27001 security standards. We also require the service providers that we use to comply with our security concept; these service providers have an obligation to comply with similar or equivalent security precautions.

Where do the personal data that we process come from?

In general, we primarily process your personal data, which we have received directly from you within the framework of our business relationship, for example, upon conclusion of a contract, report of a claim, consultation meeting, a request, etc. We generally only collect data that is absolutely necessary.

During the regulation of claims or insurance events, we may also obtain your data from third parties, such as an injuring party, injured party, witnesses, public authorities, health service providers, social insurance agencies, the Trade Association of Insurance Companies (VVO) or contractual partners in the insurance relationship (e.g. workshops).

Furthermore, we process – as far as is necessary to render our service or to establish or defend legal claims – personal data that we obtain permissibly from publicly accessible sources (e.g. land register, commercial register, central population register, register of associations, economic ownership register, insolvency files, ECG list) or which are legitimately transferred to us by other third parties (credit bureaus such as the Kreditschutzverband von 1870 and CRIF GmbH) or from systems of the insurance industry operated centrally by the VVO.

In addition, we may obtain personal data from state authorities or from persons acting on behalf of officials, such as guardianship or criminal courts, public prosecutors' offices or court commissioners.

You have the right of access for a detailed list concerning you.

Retention period of your data

We generally retain your data for the duration of our contractual relationship with you. We also retain your data for as long as the establishment of legal claims arising from our insurance relationship is possible. The statute of limitations for insurance contracts can be found in Section 12 VersVG. Furthermore, we are subject to diverse retention obligations, in accordance with which we must store data concerning you, third parties (such as co-insured persons), your insured events and your insurance relationship beyond the termination of the insurance relationship or even after conclusion of an insurance event. These retention obligations may also remain in place if you are no longer our customer. An overview of the retention obligations applicable in Austria can be found, for example, here: <https://www.wko.at/service/wirtschaftsrecht-gewerberecht/eu-dsgvo-speicher-und-aufbewahrungsfristen.html>.

Your rights

You have the right to request information as to whether we process personal data from you. If this is the case, you may request information about the data itself, the purpose, categories, recipients, origin and storage duration of the data we process concerning you.

If we process information about you that is incorrect or incomplete, you may request that it be rectified or completed. You may also request the erasure of data that has been processed unlawfully. Please note, however, that this applies only to incorrect, incomplete or unlawfully processed data. If it is unclear whether the data processed concerning you is incorrect or incomplete or has been processed unlawfully, you may request that the processing of your data be restricted until final clarification of this issue. You may file an objection against the processing of your data to fulfil legitimate interests for reasons resulting from your specific situation at any time (Art. 6(1)(f)). You may also withdraw your consent at any time and without reason to prevent the further use of your personal data that has been collected and used on the basis of your consent or for the purposes of direct advertising.

You may receive the data we have processed about you, if we have received this directly from you, in a machine-readable format determined by us, or contract us with the direct transfer of these data to a third party chosen by you, provided this recipient has made this possible for us from a technical perspective and neither unreasonable expenses nor statutory or other duties of secrecy or confidentiality requirements prevent this from our side or from that of the third parties.

Should you have any concerns, we ask that you contact us using the contact information provided below. To ensure that your personal data does not fall into the wrong hands, we ask that you attach proof of identity, e.g. a copy of your identification document, when submitting your concern.

If you believe that the processing of your data infringes upon data protection law or that your claims to data protection have been otherwise violated, you have the right to lodge an appeal with the Austrian data protection authority.

The requirement to process your data

We only ask you for personal data that we require for the conclusion and fulfilment of the insurance contract with you. For example, we are unable to offer you any insurance without your name or address. If you do not provide us with these data or do not provide them to the necessary extent, we may not be able to justify the insurance relationship you request in certain cases or fulfil your insurance event. If we are permitted to process your data exclusively based on your consent, you are not obligated to issue this consent and to provide the data. Nevertheless, in this case, we may not therefore be able to justify the insurance relationship you request in certain cases or fulfil your insurance event.

Use of automated decision making including profiling in accordance with Art. 22(1) and (4) GDPR

We do not use automated decision making or profiling.

Adaptation of this declaration

This notice replaces all previous versions. We reserve the right to adapt this notice as necessary. The current version can be found on our homepage at <https://www.wienerstaedtische.at/en/legal-information-data-protection.html>

Contact

If you have any questions or concerns relating to data protection, please contact us at datenschutz@wienerstaedtische.at. Or contact us by post at the following address:

WIENER STÄDTISCHE Versicherung AG Vienna Insurance Group
FAO the Data Protection Officer
Schottenring 30
1010 Vienna, Austria