Danica Pension’s privacy notice for personal customers and private individuals (Denmark)
Effective from June 27 2023

1. Introduction

This privacy notice sets out how Danica Pension processes your personal data.

Danica Pension is the data controller for the processing of the personal data described in this privacy notice. Contact details:

Danica Pension, Livsforsikringsaktieselskab, company reg. (CVR) no. 24256146, Parallelvej 17, DK-2800 Kgs. Lyngby.

This privacy notice applies to personal customers and potential personal customers with Danica Pension as well as sole traders, agents, corporate decision-makers and other private individuals with whom we interact and collaborate.

2. What personal data do we process?

Depending on the services or products you order, receive or are interested in, we process different kinds of personal data, including:

- contact information, civil registration (CPR) no. and similar basic information
- information about your profession, job and education
- information about your employer if your scheme is a company pension scheme
- financial information, for example your annual salary and amount of pension contribution
- information about your family and household who are typically designated as beneficiary(ies) or insured
- proof of identity, for example photo copies of your passport, driver’s licence and health card
- digital information related to your use of our websites, platforms and digital applications, including traffic data, location data, behavioural data and other communication data, e.g. by using cookies and similar technology
- details about the products and services we provide to you, including how you use them and your preferences towards them
- health information, including medical certificates and medical records
- information about your visits to our offices, including video surveillance
- phone conversations with you

3. What we use your personal data for

We process your personal data for the purpose of providing our products, i.e. pension schemes and insurance covers.

We also process your personal data for the following purposes:

- Making offers
- Customer service, advice and administration
- Identification and verification in accordance with the Danish Anti-Money Laundering Act as well as prevention and detection of money laundering
- Setting prices and fees
- Risk management
- Developing and managing our products, services and business, including using data analytics and statistics to improve products and services and to test our systems as well as to develop, train and test models
- Protecting you and Danica Pension against fraud and ensuring that our customers will not be charged higher premiums due to insurance fraud. On suspicion of fraud, we may under special circumstances initiate an observation procedure using the necessary human and technical resources. In connection with this, we will observe the insurance industry’s code on investigation of suspected insurance fraud cases and any relevant legislation
- Complying with legal requirements, e.g. reporting to SKAT
- Checking, testing and monitoring our compliance with internal policies and rules, regulatory and legislative requirements, e.g. in relation to data protection
- Physical security, including the use of video surveillance of building facades, entrances to our other premises, reception, etc.
- Marketing of our products and services, including marketing on behalf of other entities of the Danske Bank Group, provided we have obtained your consent or are allowed such marketing by law.

Cookies

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We use cookies and similar technology on our websites and in our digital apps. When you first visit one of our websites or download our apps, we set cookies that are needed to enable you to use our services [necessary cookies]. If you consent to additional cookies, such as functional, statistical and/or marketing cookies, we will set cookies according to your choice to measure, analyse and improve the use and performance of our products and services and to send you relevant marketing messages.

Some of the marketing cookies, that Danica Pension uses, are owned by third parties, e.g. Facebook or Google. We continue to be responsible for third party use of your data which is processed for our purpose [shared data controllership]. We refer to our cookie policy for further information.

4. What is our legal basis for processing your "general" personal data and CPR number?

We must have a legal basis [lawful reason] to process your "general" personal data, i.e. any data which is not "sensitive". The legal basis will be one of the following:

• You have given us consent to process your personal data for a specific purpose, cf. the GDPR, art. 6.1(a)

• You have entered into or you are considering entering into an agreement with us on a service or product, cf. the GDPR, art. 6.1(b)

• To comply with a legal obligation, cf. the GDPR, art. 6.1(c), for example, under
  - the Danish Tax Control Act [skattekontrolloven]
  - the Danish Bookkeeping Act [bogføringsloven]
  - the Danish Financial Business Act [lov om finansiel virksomhed]
  - the Danish Data Protection Act [databeskyttelsesloven] and the General Data Protection Regulation
  - the Danish Insurance Contracts Act [forsikringsaftaleloven]
  - the Danish Anti-Money Laundering Act [hvidvaskloven]
  - the Danish CPR Act [CPR-loven]

- the EU Market Abuse Regulation [MAR]
• It is necessary to pursue a legitimate interest of Danica Pension, cf. the GDPR, art. 6.1(f). For example, this may be to prevent abuse and loss, for documentation and security purposes, to strengthen IT security or for direct marketing purposes. We will do so only if our legitimate interest in each case is not outweighed by your interests or rights and freedoms.

• Section 11(2) of the Danish Data Protection Act regarding the processing of your CPR number.

5. Sensitive personal data

Some of the data we hold about you is sensitive.

Types of sensitive personal data

We process the following types of sensitive personal data:

• Trade union membership information
• Information about your health, including any health information you have provided to us or we have obtained from healthcare professionals based on your consent

Purposes of processing sensitive personal data

We will process sensitive personal data only when we need to, including

• for the purpose of a product or service we provide to you, including to make a health assessment, treat your injury and illness and to pay out loss of earning capacity benefits, etc.
• for the purpose of complying with any agreements related to your trade union membership
• calculations and analyses made by the actuarial department, risk management and, in some cases, correction of errors and testing of systems
• for the purpose of complying with legal requirements that apply to us as a financial institution

Legal basis for processing sensitive personal data

We may process sensitive personal data about you on the legal basis of

• your explicit consent, cf. the GDPR, art. 6.1(a) and 9.2(a)
• the establishment, exercise or defence of legal claims, cf. the GDPR, art. 6.1(b) and 6.1(f) as well as 9.2(f)
• substantial public interest, cf. the GDPR, art. 6.1(c) or 6.1(f) and art. 9.2(g)

6. How do we collect data about you?

Personal data received from you

We receive data directly from you when you, for example

• fill out applications and other forms for ordering products and services
• submit specific documents to us
• talk to us on the phone [see more on recording of phone conversations below]
• use our website, mobile applications, products and services
• participate in customer surveys or promotions organised by us
• communicate with us via letter or digital means, including emails, social media, etc.

Personal data which we collect or receive from third parties

We register and use personal data about you received from third parties, such as

• the Danish Central Office of Civil Registration [CPR no.] and other publicly accessible sources and registers. We process the data, for example for identification and verification purposes and to check data accuracy, cf. the Danish Data Protection Act, s. 11
• healthcare professionals, for example doctors, hospitals and clinics [if we have your consent]
• your employer or broker, who discloses certain information in connection with an offer or administration of your schemes, for example
• other pension and insurance companies as well as banks
• municipalities and other public authorities and bodies
• the Danish Centre of Health and Insurance
• publicly available sources, e.g. the internet, including data from open social media and financial information (e.g. from CVR.dk and BiQ) in connection with anti-money-laundering and suspicion of fraud
• entities of the Danske Bank Group, for example to provide you with better customised products and services (if we have your consent)
• other entities of the Danske Bank Group if applicable legislation allows or requires us to share the data, for example if it is necessary for group-based management purposes or compliance with control and/or reporting requirements established by law, or the sharing of notifications to the State Prosecutor for Serious Economic and International Crime (SØIK) in accordance with the Danish Anti-Money Laundering Act

7. Third parties with whom we share your personal data

We will keep your data confidential but we may share it with the following third parties [who also have to keep it secure and confidential]:

• Other pension and insurance companies as well as banks (e.g. if you have requested us to transfer an amount to other pension companies, we will disclose any personal data about you that is necessary to identify you and fulfil the agreement)

• Reinsurance companies

• Healthcare professionals, for example your own doctor or specialist (if we have your consent)
• The Danish Health Data Authority
• The Danish Centre of Health and Insurance
• Udbetaling Danmark

• Your employer, broker or interest organisation

• Entities of the Danske Bank Group, for example to provide you with better customised products and services (if we have your consent)

• Other entities of the Danske Bank Group if applicable legislation allows or requires us to share the data, for example if it is necessary for group-based management purposes or compliance with control and/or reporting requirements established by law, or the sharing of notifications to the State Prosecutor for Serious Economic and International Crime (SØIK) in accordance with the Danish Anti-Money Laundering Act

• We share your personal data with public authorities as required by law or according to court orders or other authorities, including the Danish Financial Supervisory Authority, the Danish Data Protection Agency and the State Prosecutor for Serious Economic and International Crime (SØIK) in accordance with anti-money laundering legislation and with the Danish tax authorities.

• Municipalities

• Our external lawyers, accountants and other advisers in connection with specific advice

• Our data processors, including IT providers and support, facility management providers and other providers with whom we collaborate to process your personal data

8. Transfers outside the EU and the EEA and international organisations

In connection with IT development and support, we transfer personal data to two group companies located in countries outside the EU/the EEA. They are:

Inscale Asia Sdn Bhd
CVR no.: 723370-W
Level 22, Menara Binjai, Jalan Binjai, 50450 Kuala Lumpur, Malaysia

and

Danske IT and Support Services India, Private Limited
Campus 5 B, RMZ Ecoworld, Bangalore, Karnataka 560103, India

When Danica Pension transfers your personal data to third parties outside the EU and the EEA, we ensure that your personal data and data protection rights are subject to appropriate safeguarding by using standard contracts approved by the European Commission or the Danish Data Protection Agency.

You can obtain a copy of a standard contract by contacting us.

Danica Pension also utilizes cloud services from Amazon Web Services (AWS) for certain anti-money laundering activities and Microsoft for data storage purposes. The information is stored only in regions within the EU/EEA. In the event that AWS or Microsoft is compelled to disclose information to the US in order to comply with a legal obligation under the law or a demand from a public authority in the US, AWS and Microsoft may transfer the information to the US.

9. Profiling and automated decision-making

Profiling

Profiling is a form of automated processing of your personal data in order to evaluate certain personal aspects relating to you to analyse or predict aspects concerning, for example, your personal preferences, interests, reliability, behaviour and location.

We use profiling and data modelling to be able to offer you specific services and products that meet your preferences, prevent money laundering, determine prices of certain services and products, evaluate the likelihood of default risk and for marketing purposes.
Automated decision-making

Automated decisions are decisions made without the involvement of our employees (i.e. without human involvement).

For example, we use automated decision-making to establish your pension scheme and to grant treatments. Automated decision-making helps us make sure that our decisions are quick, fair, efficient and correct, based on the personal data we have.

In relation to the prevention and detection of money laundering, we perform identity and address checks against public registers and check PEP (politically exposed persons) and sanctions lists.

If the automated decision leads to the result being unfavourable to you, the decision will be taken for manual processing (i.e. your case will be handled by one of our employees). This also applies to the majority of our cases concerning the conclusion of an agreement on insurance products. For a small part of the cases, however, the process of setting up – or refusing - insurance products, such as loss of earning capacity, is fully automatic.

You have rights relating to automated decision-making. Please see “Your rights” and “Automated decision-making” below.

10. Recording of phone conversations

Incoming and outgoing calls may be recorded and stored to document what was said, what happened, and what was agreed during the conversation. We refer to https://danicapension.dk/phonecalls or more details on our processing of personal data and your rights in that respect.

11. For how long do we store your personal data?

We store your personal data only for as long as it is needed for the purpose for which your data was processed.

This means that as a general rule we store your personal data for as long as we are providing a service or a product to you. When your customer relationship with us has ended, we store your personal data for another ten years. The storage period complies with the principles of limitation under the Danish Statute of Limitations Act.

In certain circumstances, we store your data for a longer period of time:

We store personal data provided in connection with an offer that was not accepted for a period of six months after the rejection/expiry of the offer.

We store personal data collected with a view to complying with the Danish Anti-Money Laundering Act for a period of five years after the customer relationship has ended.

Surveillance videos are deleted 30 days after they were made in accordance with applicable law. In certain circumstances, and in connection with a specific case, the data may be stored for a longer period.

Phone conversations are deleted after the period set out here.

12. Your rights

Your rights in relation to personal data are described below.

To exercise your rights, you can contact us via the contact details set out below.

Right to access your personal data
You have the right to request access to the personal data we process and information about where it comes from and what we use it for. You can obtain information about how long we store your data and about who receives data about you, to the extent that we disclose data. Your right of access may, however, be restricted to protect other persons’ privacy or for purposes of our business and practices. Your right of access may be restricted due to the prevention, investigation, detection or prosecution of criminal offences. Our know-how, business secrets as well as internal assessments and material may also be exempt from the right of access.

Rights related to automated decision-making
You have the right to obtain information on how an automated decision was made and the effects of the decision, you can express your point of view, you can object to the decision, and you can request a manual review of any automated decision.

Right to object
In certain circumstances, you have the right to object to the processing of your personal data. This is the case, for example, when the processing is based on our legitimate interests.

Objection to direct marketing
You have the right to object to our use of your personal data for direct marketing purposes, including profiling that is related to such purpose.

Right to rectification of your data
If data is inaccurate, you have the right to have the data rectified. If data is incomplete, you have the right to have the data completed, including by means of providing us with a supplementary statement.

Right to erasure (‘right to be forgotten’)
You have the right to have your data erased, provided the data is no longer necessary in relation to the purposes for which it was collected.

However, in the following cases, we may be or are required to store your data:

- For compliance with a legal obligation, for example if we are obliged by law to store your data for a certain period of time, for example under the Danish Anti-Money Laundering Act or the Danish Bookkeeping Act. In such situations, we cannot erase your data until that time has passed
- For the performance of a task carried out in the public interest
- For establishment, exercise or defence of legal claims

Restriction of use
If you believe that the data we have registered about you is incorrect, or if you have objected to our use of the data, you may demand that we restrict the use of the data to storage. Use will be restricted to storage only until the correctness of the data can be verified, or it can be checked whether our legitimate interests outweigh your interests.
If you are not entitled to have the data we have about you erased, you may instead request us to restrict the use of the data to storage. If we need to use the data solely to assert a legal claim, you may also demand that other use of the data be restricted to storage. We may, however, be entitled to use the data for other purposes, for example to assert a legal claim or if you have granted your consent to this.

Withdrawal of consent
Where your consent is the legal basis for a specific processing activity, you may withdraw your consent at any time with prospective effect. Please note that if you withdraw your consent, we may not be able to offer you specific services or products. Note also that we will continue to use your personal data, for example to fulfil an agreement we have made with you or if we are required by law to do so.

Data portability
If we use data based on your consent or as a result of an agreement, and the data processing is automated, you have the right to request a copy of the data you have provided in a digital machine-readable format.

13. Changes to this privacy notice
We may change or update this privacy notice on a regular basis. In case of a change, the “effective from” date at the top of this document will be changed. If changes to how your personal data is processed will have a significant effect on you personally, we will take reasonable steps to notify you of the changes to allow you to exercise your rights (for example to object to the processing).

14. Contact details and how to complain
You are always welcome to contact us if you have questions about your rights and how we process your personal data.

You can contact us on our main telephone number +45 70 11 25 25 or by email at www.danicapension.dk/skrivpersonoplysninger [secure connection].

Data protection officer
If you have any questions to our data protection officer, you can contact the department responsible for data protection by email at dopfunction@danskebank.com.

Complaints handling unit
If you are dissatisfied with how we register and use your personal data, and the dialogue with the Data Protection Officer has not led to a satisfactory outcome, you can contact our complaints handling unit via www.danicapension.dk/kontakt [secure connection] or by writing to Danica Pension, Parallelevj 17, DK-2800 Kgs. Lyngby.

If you are dissatisfied with how we process your personal data, and your enquiry submitted to our Data Protection Officer or other departments has not led to a satisfactory outcome, you can contact our complaints handling unit Danske Bank, Legal Department, Holmens Kanal 2-12, DK-1092 Copenhagen K, email: klageservice@danskebank.dk.

You can also lodge a complaint with the Danish Data Protection Agency, Datatilsynet, Carl Jacobsens Vej 35, DK-2500 Valby, e-mail: dt@datatilsynet.dk.

If, for example, your residence or the place of the alleged infringement is in or is related to another member state than Denmark, you can typically also lodge a complaint with the supervisory authority for data protection in that member state.