

## Pen Underwriting Limited Privacy Notice

Updated: 27 November 2023

This Privacy Notice applies to Pen Underwriting Limited, and its affiliates and subsidiaries (collectively, “we,” “our,” “us,” or “Pen”). A full list of affiliates and subsidiaries is available [here](#).

In this Privacy Notice, we identify the personal data that we collect about you and how we use that data. This Privacy Notice applies to any personal data you provide to Pen and any personal data we collect from other sources, unless you are provided a more specific privacy statement at the time of data collection. This Privacy Notice does not apply to any third-party websites, applications or portals (“Sites”) linked to Pen’s Sites, or to any Pen Sites that have their own privacy notices. If you provide personal data to us about other people, you must provide them with a copy of this Privacy Notice and obtain any consent required for the processing of that person's data in accordance with this Privacy Notice.

If you have any questions about this Privacy Notice, please contact us using the details set out in the [Contact Us](#) section. When using our Sites, you should read this Privacy Notice alongside the Site’s Terms of Use.

The following sections will guide you through our practices for the collection, usage, disclosure and retention of your personal data:

1. Who we are
2. How we process your personal data
3. How we protect your personal data
4. How we protect your personal data when sending it abroad
5. Marketing activities
6. Profiling and automated decision-making
7. How long we keep your personal data
8. Your personal data rights
9. Contact us
10. Updates to this Privacy Notice

### Sweden Addendum (“Addendum”) to the Pen Privacy Notice

#### 1. Who we are

We provide a range of professional services including insurance, (re)insurance brokerage, risk and claims management, employee benefits and human resources consulting and administration, financial, pension administration and actuarial services through our various affiliates and subsidiaries.

#### 2. How we process your personal data

## 2.1 Individuals in scope of this Privacy Notice

This Privacy Notice provides information for those individuals whose personal data we process, including:

- **Business contacts**, such as brokers, (re)insurers, managing agents (MGAs), loss adjusters, experts instructed in relation to claims, service providers, suppliers, professional advisors, conference attendees, visitors to our offices, government officials and authorities.
- **Customers, claimants and plan beneficiaries**, such as those in respect of insurance policies we place as part of our core insurance business activities (e.g., parties covered under the policies, potential beneficiaries of the policies, claimants and other parties involved in claims in respect of the policies), and any other customers in relation to our various service offerings (e.g., employers sponsoring health and benefit plans, pension trustees, premium financing services, current, former and retired plan members, spouses and other beneficiaries entitled to payment from pension and/or benefit plans for whom we provide administrative services).
- **Users of our Sites.**
- **Other individuals**, such as those requesting or receiving our marketing information, making general inquiries, entering competitions or promotions, or whose images we use in marketing or are captured on CCTV.

## 2.2 How we collect your personal data

We collect your personal data in a number of ways, which vary based on how you interact with us and as allowed by applicable law. The following summarizes our various collection points:

- **Directly from you** or your authorized representative, such as when you provide your personal data to us, including from any of our Sites, surveys, live events, market research, and other direct communications and/or solicitations.
- **From our clients and partners**, such as commercial clients, (re)insurers, network partners, brokers, employers, benefit plan sponsors, benefit plan administrators, premium finance companies, health service providers, pension trustees, data/marketing list providers and third-party service providers.
- **Publicly available sources**, such as social media platforms, property and assets registers, and claims and convictions records.
- **Pen affiliate companies.**
- **Government authorities**, such as police and regulators.
- **Background checks and screening tools**, such as insurance industry fraud prevention and detection databases, credit agencies and sanctions screening tools.
- **Other third parties.**

## 2.3 Personal data we collect

We collect the following types of personal data depending on the purpose of your interaction with us (e.g., as business contact, customer, claimant, insured) and as allowed by applicable law:

- **Basic personal and demographic information**, such as your name, date of birth, age, gender and marital status.
- **Contact information**, such as your address, telephone number and email address.
- **Unique identifiers**, such as identification numbers issued by government bodies or agencies (e.g., your national identifier number or social security number, passport number, ID number, tax identification number, driver's license number, birth, death and marriage certificates, military passbook, and copies of official documents).

- **Beneficiary information**, such as details of relationships, family members and dependents.
- **Employment information**, such as your job title, employer, employment status, salary information, employment benefits, pensionable service periods, employment history and professional certifications and training.
- **Financial information**, such as your bank account numbers and statements, credit card numbers, brokerage account numbers, transaction information, tax information, details of your income, property, assets, investments and investment preferences, pension and benefits, debts, and creditworthiness.
- **Policy information**, such as your policy number, policy start and end dates, premiums, individual terms, mid-term adjustments, reasons for cancellation, risk profile, details of policy coverage, enrolment, eligibility for insurance or benefits, benefit amounts and underwriting history.
- **Claim information**, such as a claimant's relationship to a policyholder/insured, claims history and claims data, and the date and particulars of a claim, including causes of death, injury or disability and claim number.
- **Plan information**, such as contribution levels and benefit options.
- **Commercial information**, such as records of your personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
- **Events or meeting information**, such as details about your visits to our offices (including CCTV), your interest in and attendance at events or meetings, audio recordings, photographs or videos captured during meetings, events or calls with you.
- **Lifestyle information**, such as travel history and plans and general health data.
- **Special category data and sensitive personal data**, such as data relating to your health (including protected health information), genetic or biometric data, sex life, sexual orientation, gender identity, racial or ethnic origin, political opinions, religious or philosophical beliefs and trade union membership.
- **Criminal records information**, such as criminal charges or convictions, including driving offences, or confirmation of clean criminal records.
- **Professional disciplinary information**.
- **Personal information received from background checks and sanctions screenings**, including status as a politically exposed person.
- **Marketing information**, such as your consent to or opt out from receiving marketing communications from us and/or third parties, your marketing preferences, or your interactions with our marketing campaigns and surveys, including whether you open or click links in emails from us or complete our surveys.
- **Sites and communication usage information**, such as your username, your password, other information collected by visiting our Sites or collected through cookies and other tracking technologies as described in our cookie policy, including your IP address, domain name, your browser version and operating system, traffic data, location data, browsing time, and social media information, such as interactions with our social media presence.

#### 2.4 How we use your personal data

Depending on the purpose of your interaction with us (e.g., as business contact, customer, claimant, insured, pension member), we use your personal data to:

- **Perform services for you or our clients**

- Provide services and fulfill our contractual obligations, including providing services that you may not have personally requested but were requested by our client(s) and require us to interact, directly or indirectly, with you.
- Facilitate and enable placement of policies and assist in the ongoing management of such policies, including premium management, renewals, adjustments, cancellations, claims management and settlement.
- Provide various consulting, administration, financial, pension and actuarial services and claims administration.
- Advise on the management of our clients' business risks and opportunities, affairs and insurance arrangements and on the administration of claims.
- **Manage our business operations**
  - Enter into business relationships and perform due diligence and background checks, such as fraud, trade sanctions screening, and credit and anti-money laundering checks.
  - Create, maintain, customize and secure your account with us.
  - Maintain accounting records, analyze financial results, comply with internal audit requirements, receive professional advice, apply for and make claims on our own insurance policies, manage or dispute a claim and recover a debt.
  - Conduct data analytics, surveys, benchmarking, and risk modelling to understand risk exposures and experience, for the purposes of creating de-identified and/or aggregate industry or sector-wide reports, to share within Pen's Group of Companies and with third parties. The Pen Group of Companies means Pen, its parent company Arthur J. Gallagher & Co. and all affiliates and subsidiaries.
- **Communicate and market to you**
  - Communicate with you regarding your account or changes to our policies, terms and conditions, respond to any inquiries you may have, and send you invitations for events or meetings.
  - Advertise, market and promote our services or the services of others, including by email, LinkedIn, SMS, post or telephone.
  - Send you newsletters, offers or other information we think may interest you, as well as offer and administer promotions.
  - Monitor usage of our Sites and personalize your experience with our Sites and the messages we send you to deliver content, product and service offerings relevant to your interests, including targeted offers and ads through our Sites, third-party Sites, and via email, SMS or text (with your consent, where required by law).
- **Comply with legal obligations**
  - Comply with national security or law enforcement requirements, discovery requests, or where otherwise required or permitted by applicable laws or regulations, court orders or regulatory authorities.
  - Exercise and defend ours, yours or third parties' legal rights.
- **Monitor and prevent fraud or wrongdoing**
  - Maintain the safety, security, quality, integrity and availability of our products, services, systems and data, detect security incidents, protect against inadvertent data loss, malicious, deceptive, fraudulent, or illegal activity, and debug or identify and repair errors that impair existing intended functionality.

- Monitor and ensure the safety and security of our premises, property, employees and visitors.
- **Improve our services**
  - Develop, enhance, expand or modify our services through research and development.
  - Monitor, review, assess and improve our technology systems, including any Sites, and our content on social media platforms.
  - Improve and develop systems and algorithms involving machine learning and artificial intelligence.
  - Improve quality, training and security (for example, with respect to recorded calls).
- **Mergers and acquisitions**
  - Facilitate commercial transactions, including a reorganization, merger, sale of all or a portion of our assets, a joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings). Should such a sale or transfer occur, we will use reasonable efforts to ensure the entity to which we transfer your personal data agrees to use it in a manner consistent with this Privacy Notice.

If we intend to use your personal data for any other purpose not described in this Privacy Notice or which is not compatible with the purpose for which your personal data was collected, we will contact you and let you know of that purpose, which may include the need to satisfy our legal and regulatory obligations. Where we require your consent to the processing, we will request it in advance.

## 2.5 Legal basis for processing personal data

Local law and regulation may require us to have a legal basis to process your personal data. In most cases, our legal basis for processing your personal data will be one of the following:

- **Legitimate Business Interest**, such as seeking to and entering into or performing our contractual duties, maintaining our business records, keeping records of insurance policies or other products we place, and analyzing and improving our business model, services, systems and algorithms. When using your personal data for these purposes, we ensure our business need does not conflict with the rights afforded to you under applicable laws.
- **For the performance of a contract** with you or in order to take steps at your request prior to entering into that contract.
- **Compliance with legal obligations**, such as when you exercise your rights under data protection laws and make requests, for compliance with legal and regulatory requirements and related disclosures and for the establishment and defense of legal rights.
- **Fraud detection or prevention**.
- **Consent**, such as when we have to obtain your consent to process your personal data.

When we process sensitive personal data, sometimes referred to as special category data, in most cases our legal basis will be one of the following:

- **As required to establish, exercise or defend legal claims**.
- **As necessary for insurance operations** when it is in the substantial public interest, where applicable under local data protection laws.

- **As necessary for the prevention or detection of an unlawful act and/or fraud** when it is in the substantial public interest, where applicable under local data protection laws.
- **You have given us your explicit consent** - where we receive sensitive personal data or special category data indirectly, the third party is responsible for obtaining your explicit consent to enable us to collect and use your data for the purposes described in this Privacy Notice.

## 2.6 Who we share your personal data with

We share your personal data within Pen's Group of Companies for the purpose of your interaction with us, such as for the provision of our services, general business operations and controls, marketing, data analytics, systems and algorithm improvements, surveys, benchmarking, and compliance with applicable laws.

We may also share your personal data with the following third parties for the purpose of your interaction with us:

- **Your employer**, as part of our provision of the services to you or your employer.
- **Professional Advisors**, such as underwriters, actuaries, claims handlers and investigators, surveyors, loss adjustors/assessors, accident investigators, specialist risk advisors, pension providers or trustees, banks and other lenders (including premium finance providers), health professionals, health service providers, lawyers (including third party legal process participants), accountants, auditors, tax advisors, financial institutions, investment advisors and other fiduciaries and consultants.
- **Business partners**, such as customers, (re)insurance companies, MGAs, brokers, other insurance intermediaries, claims handlers or other companies who act as insurance distributors and premium financing companies.
- **Providers of insurance broking and other platforms we use.**
- **Service providers**, such as IT software, security and cloud suppliers, finance and payment providers, marketing agencies, external venue providers, address tracers, printers, document management providers, telephony providers, debt collection agencies, background check and credit reference agencies.
- **Fraud detection agencies and credit bureaus** which operate and maintain fraud detection or credit registers.
- **Industry bodies.**
- **Insurers** who provide you with insurance and us with our own insurance.
- **Regulators, public authorities and law enforcement agencies**, such as police, judicial bodies, governments, quasi-governmental authorities, financial and pension regulators and workers' compensation boards, where we are required or requested to do so by law.
- **Asset purchasers**, such as those who may purchase or to whom we may transfer, our assets and business.
- **Other third parties**, where we have your consent or are required by law.

When required by applicable law, we will obtain your explicit consent before sharing your data with any third parties. We will also require third parties (where applicable) to maintain a comparable level of protection of personal data as set out in this Privacy Notice by the use of contractual requirements or other means. On request and where required by law, we will confirm the name of each third party to which your personal data has, or will be, transferred. To the extent

permitted by applicable law, we disclaim all liability for the use of your personal data by third parties.

## 2.7 Children

Our Sites are not intended for children and we do not knowingly collect, use, or disclose information about children. If you are a minor, please do not provide any personal data even if prompted to do so. If you believe that you have inadvertently provided personal data, please ask your parent(s) or legal guardian(s) to notify us. In the event that we learn that we have inadvertently collected personal data via our Sites from a child, we will delete that information as quickly as possible.

## 3. How we protect your personal data

We use a range of organizational and technical security measures to protect your personal data, including, but not limited to, the following:

- **Restricted access** to those who need to know for the purposes set out in our underlying agreement or this Privacy Notice, and who are subject to confidentiality obligations.
- **Firewalls** to block unauthorized traffic to servers.
- **Physical servers** located in secure locations and accessible only by authorized personnel.
- **Internal procedures** governing the storage, access and disclosure of your personal data.
- **Additional safeguards** as may be required by applicable laws in the country where we process your personal data.

Please note that where we have given you (or you have chosen) a password, you are responsible for keeping the password confidential. Please do not share your password with anyone.

## 4. How we protect your personal data when sending it internationally

We operate as a global business and may transmit your personal data across borders, including within Pen's Group of Companies and to certain third parties, including our partners and service providers. This sharing of data allows us to provide you services as set out in our underlying agreement or as otherwise indicated in this Privacy Notice. When required by applicable law, we will obtain your explicit consent before transferring your data.

The laws that apply to the country where the data is transferred may not be equivalent to that in your local country (or in the country in which we provide the services). Transfers of personal data will comply with applicable law and be subject to suitable safeguards to ensure an adequate level of protection, including, where required, the use of standard contractual clauses approved by the local data protection regulator, that require each party to ensure that the personal data receives an adequate and consistent level of protection. Please contact us using the details provided under the [Contact Us](#) section if you would like further information regarding our international transfers and the steps we take to protect your personal data when sending it internationally.

## 5. Marketing activities

From time to time, we may provide you with information about our products or services or those of our partners that we think will be of interest to you. We may send you this information by email, LinkedIn, SMS, text, post or we may contact you by telephone. We may also share your personal data with the Pen Group of Companies so that they can provide you with information about their

products and services we believe will be of interest to you. We ensure that our marketing activities comply with all applicable legal requirements. In some cases, this may mean that we ask for your consent in advance of sending you marketing materials.

You can opt out of receiving marketing communications from us at any time. Please use the "unsubscribe" link in our marketing emails to opt out of receiving those emails. Alternatively, please contact us using the details provided under the [Contact Us](#) section. In such circumstances, we will continue to send you service-related communications where necessary.

## 6. Profiling and automated decision-making

Insurance market participants benchmark insured, beneficiary and claimant attributes and risk factors, and insured event likelihoods in order to determine insurance limits, insurance premiums and fraud patterns. This means that we compile and analyze data in respect of insureds, beneficiaries and claimants to model such likelihoods. In doing so, we use personal and commercial data in order to create the models and/or match that data against the models (profiling) to determine both the risk and the premium price based on similar exposures and risks. We also use this information to help us advise insurance companies about the typical levels of insurance coverage that our clients may have in place.

We will only make automated decisions about you where:

- Such decisions are necessary for entering into a contract (e.g., we may decide not to offer services to you, the types or amount of services that are suitable for you, or how much to charge you for services based on your credit history or financial or related information we have collected about you);
- Such decisions are required or authorized by law (e.g., fraud prevention purposes); or
- You give your consent for us to carry out automated decision-making. You may withdraw your consent at any time by contacting us.

These automated decisions may have a legal or similar effect on you, namely, your eligibility for or access to products or services.

We may also make automated decisions based on your personal data or browsing history to send you personalized offers, discounts or recommendations, subject to any applicable local laws and regulations. These automated decisions will not have legal or similar effects for you.

Subject to local laws and regulations, you can contact us to request further information about our automated decision-making, object to our use of automated decision-making, or request that an automated decision be reviewed by a human being.

## 7. How long we keep your personal data

We keep your personal data for as long as reasonably necessary to fulfil the purposes set out in this Privacy Notice based on our business needs and legal requirements.

When we no longer need your personal data, we de-identify or aggregate the data or securely destroy it based on our retention policy. Please note that de-identified or aggregated data is not treated as personal data under this Privacy Notice and may be used for analytics purposes.



We have a detailed retention policy that governs how long we hold different types of information. Please contact us using the details provided under the [Contact Us](#) section for further information regarding how long we keep your personal data.

#### 8. Your personal data rights

Based on the country in which you reside, and subject to permitted exemptions, you may have certain rights in relation to your personal data. We are committed to respecting your personal data rights. Please refer to your country-specific addendum for information on the rights that apply to individuals in your country.

You can exercise your rights by contacting us using the details provided in the [Contact Us](#) section. We will usually not charge you for processing these requests. There may be cases where we are unable to comply with your request (e.g., via a permitted exemption or where the request would conflict with our obligation to comply with other legal requirements). We will tell you the reason if we cannot comply with your request and we will always respond to any request you make.

#### 9. Contact us

Please contact us if you have any questions about how we collect and process your personal data. You may contact us by writing to [Nordic.DPO@ajg.com](mailto:Nordic.DPO@ajg.com). To assist in providing you with an accurate response, please let us know that your question relates to Pen and the applicable country.

#### 10. Updates to this Privacy Notice

We may update this Privacy Notice from time to time. When we make updates, we will post the current version on our Sites and will revise the version date located at the beginning of the Privacy Notice. We encourage you to review this Privacy Notice periodically so that you will be aware of our current privacy practices.

### **Sweden Addendum (“Addendum”) to the Pen Privacy Notice**

Updated: 30 July 2024

This Addendum supplements Pen’s Privacy Notice and applies to personal data collected and/or processed in Sweden.

#### Purposes and legal grounds of Processing

<b>Purposes of Processing</b>	<b>Legal Grounds for Processing</b>
To perform services for you or our clients.	For the performance of contracts to which you will be a party and in order to take steps at your request prior to you entering into those contracts; or  For the purposes of legitimate interests pursued by us (to perform and enter into services for our clients).

To manage our business operations.	To comply with a legal or regulatory obligation to which we are subject; or  For the performance of contracts to which you will be a party and in order to take steps at your request prior to you entering into those contracts; or  For the purposes of legitimate interests pursued by us (to manage our business operations).
To communicate and market to you.	Your consent to this processing; or  For the purposes of legitimate interests pursued by us (to communicate and market to you where we do not require your consent).
To comply with legal obligations.	To comply with a legal or regulatory obligation to which we are subject.
To monitor and prevent fraud or wrongdoing.	To comply with a legal or regulatory obligation to which we are subject; or  For the performance of contracts to which you will be a party and in order to take steps at your request prior to you entering into those contracts; or  For the purposes of legitimate interests pursued by us (to monitor and prevent fraud or wrongdoing or defend or protect our legal rights).
To improve our services.	For the purposes of legitimate interests pursued by us (to improve our services).
To manage mergers, acquisitions, sales, re-organizations, disposals and integrations.	For the purposes of legitimate interests pursued by us (to manage mergers, acquisitions, sales, re-organizations, disposals and integrations).

### Your personal data rights

You have certain rights in respect of your personal data under Sweden data protection laws.

#### *Right to access your personal data*

You have a right to ask us for copies of your personal data and certain details of how we use it.

### *Right to rectification*

You have a right to ask us to amend or update your personal data if you believe the personal data we hold about you is inaccurate or incomplete.

### *Right to erasure*

You have a right to ask us to erase your personal data in certain circumstances, such as where you withdraw consent or where the personal data we collected is no longer necessary for the original purpose. This will be balanced against other factors. For example, we may have regulatory and/or legal obligations which limit our ability to comply with your request.

### *Right to restriction of processing*

You have a right to restrict the processing of your personal data in certain circumstances, such as where you think we no longer need to use your personal data or where you think that the personal data we hold about you may be inaccurate.

### *Right to data portability*

You have a right to ask that we transfer personal data that you have given us to another organization in certain circumstances.

### *Right to object to processing, including marketing*

You have a right to object to your personal data being processed if we process your personal data in our legitimate interest. You may also ask us to stop sending you direct marketing messages and using your personal data for direct marketing purposes.

### *Rights related to automated decision-making*

You have a right to ask not to be subject to a decision based solely on automated processing, including profiling, which produces legal or similar effects.

### *Right to withdraw consent*

We will ask for your consent for certain uses of your personal data. Where we do this, you have the right to withdraw your consent to further use of your personal data.

### *Right to complain*

You have the right to contact us if you have any concerns with how we use your personal data and we will do our best to resolve your concerns. You also have a right to complain to the Integritetsskyddsmyndigheten (“IMY”) if you believe that our use of your personal data is in breach of data protection laws and/or regulations. More information can be found on the IMY’s [website](#). Exercising this right will not affect any other legal rights or remedies you have.

There may be circumstances where exercising some of your rights described above or not providing us with personal data will result in us not being able to provide products or services to you (i.e., insurance can no longer be provided or your policy may be cancelled). By exercising

your rights (such as your right to erasure), you may also lose the right to bring any claim or receive any benefit, including in relation to any event that occurred prior to the exercise of your rights, if our ability to handle the claim has been prejudiced. Your policy terms and conditions set out what will happen in the event your policy is cancelled.

### Contact us

You can contact us if you have any questions about how we collect, store or use your personal data or if you wish to exercise any of your rights with respect to your personal data. To assist in providing you with an accurate response, please let us know the Pen business you interact with and your applicable country.

<b>Pen legal entity</b>	<b>Contact details</b>
Arthur J Gallagher Nordic AB	Data Protection Office The Walbrook Building 25 Walbrook London EC4N 8AF Email: <a href="mailto:Nordic.DPO@ajg.com">Nordic.DPO@ajg.com</a>