

Processing the customer's personal data at FINE

Articles 13 and 14, EU General Data Protection Regulation (EU) 2016/679

In order to process a banking, insurance or investment service case, FINE and its associated boards need to identify the customer and process the customer's personal data relative to the service in question. Your case cannot be processed unless FINE receives the necessary personal data from you. Your data will be filed in FINE's customer filing system.

This policy covers different aspects of the filing and processing of your personal data that you should take into consideration when asking FINE for advice or recommendation for a resolution.

Controller

FINE The Finnish Financial Ombudsman Bureau, Insurance Complaints Board, Banking Complaints Board, Investment Complaints Board
Porkkalankatu 1
00180 HELSINKI
Tel. +358 9 6850 120, email: info@fine.fi
Representative of the Controller: CEO Elli Reunanen, tel. +358 9 6850 1226

Key points in the filing and processing of personal data

- The purpose of processing personal data: Clarifying and resolving an advisory case or a dispute that you have submitted to FINE.
- The legal bases for processing personal data:
 - 1) When the case concerns a contract you have entered into as a consumer, the processing of your personal data is based on FINE's legal obligation to process an insurance, banking or investment service case that falls within its competence.
 - 2) In other cases, the legal basis for processing personal data is FINE's legitimate interest; FINE cannot examine and process your case without also processing your personal data.
- The categories of personal data being processed: In addition to the personal data and documents you submit with your processing request, FINE will need to request relevant documents and a statement of opposition from the service provider who is the other party in the case. You will be requested for a separate authorisation to obtain documents and data covered by secrecy from the service provider. It may also be necessary to hear other interested parties, such as the injuring party in a liability insurance case. During the processing of the case, FINE will notify you separately about all the data obtained from the aforementioned other interested parties.
- If you are the agent or representative of a customer or a service provider or if you are being heard in relation to a case being processed at FINE, FINE will file as your personal data the necessary name and contact information required for processing the case, such as an email address and a telephone number, as well as any other information you may submit in

relation to the case, to the extent necessary for processing the case.

- FINE will protect your data and will not disclose any personal data of interested parties or their representatives to third parties. However, the material you have submitted will be notified to the service provider who is the other party in the case and to any other persons being heard in the case, such as the injuring party in a liability insurance case.
- If FINE considers it necessary to request an expert opinion in order to resolve the case, FINE may disclose data to the expert it employs. FINE may also be obliged to provide data to an authority upon a separate request from that authority under the law.
- FINE will retain your personal information for ten (10) years after the case has been closed. This retention period is based on the legal limitation periods and periods for bringing proceedings.
- The bringing of your dispute to FINE and its processing at FINE also affects the legal status of the other party in the case. The processing of personal data is necessary for the exercise or defence of a legal claim. Your data will not be processed by automated means. For these reasons, under the General Data Protection Regulation, you do not have the right to request the erasure or portability of your personal data or restrict the processing of your personal data or to object to such processing. You have the right to receive confirmation of the processing of your personal data from FINE, to rectify inaccurate data concerning you and to receive a copy of the personal data concerning you that FINE has in its filing system during the data's storage period.

The purpose of processing personal data

The customer's personal data

FINE files and processes your personal data to the extent necessary:

- for the clarification, together with the service provider, of the advisory case you have submitted;
- for giving a recommendation for a resolution in your dispute;
- for the communication needed for the aforementioned tasks.

The personal data of a person being heard in the case

FINE may request and file your personal data also in cases where an opportunity must be reserved for you to be heard in order to resolve a dispute submitted to FINE by another person. This happens, for instance, when you are considered to have caused injury to another and there is a liability insurance policy in force benefiting you, which is the subject of a decision against which the injured party has lodged a complaint with FINE. A hearing may also be necessary when you are party to a death estate or the co-owner of an insured object jointly with another person.

The personal data of the representative or agent of an interested party

When you act as the agent of an interested party or are the representative of an interested party in a case being processed by FINE, FINE will file your name, address, email address and telephone number data to the extent necessary for processing the case.

The legal bases for processing personal data

Depending on the nature of the case being processed, the legal basis for processing personal data is one of the following:

1) When the case concerns a contract you have yourself entered into as a customer

The legal basis for processing personal data is compliance with a legal obligation to which the controller is subject; Article 6, Paragraph 1 (c), EU General Data Protection Regulation.

FINE's obligation to process the consumer disputes concerning insurance, banking or investment services falling within its competence under its Regulations is laid down in the Act on Alternative Dispute Resolution (1696/2015), Article 3. Compliance with a legal obligation is the legal basis also in situations where you are being heard and having your data processed as the insured party causing the injury in a dispute concerning a liability insurance, pursuant to Article 68 of the Insurance Contracts Act.

2) Other insurance, banking or investment service cases within FINE's competence

The legal basis for processing personal data is the legitimate interest of the controller; Article 6, Paragraph 1 (f), EU General Data Protection Regulation.

The processing of your personal data is based on the customer relationship established between you and FINE due to the request for clarification or complaint that you have submitted. It is not possible to clarify or resolve the insurance, banking and investment service cases within FINE's competence without processing documents that contain your personal data.

Processing the customer's personal ID code

In cases concerning financial and insurance services, it is necessary to use the customer's personal ID code in order to identify him or her, pursuant to Article 29 of the Data Protection Act (2018).

Processing special categories of personal data (sensitive data)

According to Article 9, Paragraph 2, point (f), of the EU General Data Protection Regulation, sensitive data such as data concerning health may be processed when this is necessary in order to establish, exercise or defend a legal claim in an out-of-court procedure. Such processing takes place when FINE processes, upon your request, a case concerning e.g. personal insurance or a personal injury. This involves the legal clarification of the justification for your claims, which makes it necessary to process personal data concerning your health.

The categories of personal data processed and data received from others than yourself

In addition to the personal data and documents that you have submitted to FINE with your processing request, FINE will request a statement of opposition to your request as well as the data and documents necessary for resolving the case from the service provider who is the other party in the case. Such data may include e. g. data on the contractual relationship in question between you and the service provider, invoicing and payments or your assignments for the service provider, as well as any clarifications related to the loss in an insurance compensation case, such as technical and financial reports obtained by the service provider, or in cases of personal injury, patient records.

FINE will request a separate authorisation from you in order to obtain the aforementioned documents and data covered by secrecy from the service provider. You can give the authorisation

by filling FINE's online contact form or, if you have contacted FINE by regular mail, by filling and returning the authorisation form sent by FINE.

FINE can also obtain data necessary for resolving the case from other interested parties being heard in the case, such as the injuring party in a liability insurance case. You will be informed by FINE separately about any data obtained from the service provider or any other interested party during the processing of the case.

If you are acting as the agent or representative of a customer or a service provider, FINE will file your personal data, consisting in your name and contact information such as postal address, email address and telephone number, to the extent necessary for the communication required for processing the case. A lawyer or other agent also needs to have an authorisation from the client whenever the agent requests FINE to disclose to the agent any data covered by secrecy concerning the client. You can download the authorisation form [here](#).

If you are being heard as another interested party, such as an injuring party in a liability insurance case, due to a processing request that has been submitted to FINE, FINE will file not only your name and contact information but also the data you have submitted concerning the case, to the extent required for processing the case.

Recipients of personal data and disclosure of personal data

The recipient of the personal data you have submitted as a customer, as an interested party being heard in the case or as the representant or agent of these persons or of the other party in the case is FINE The Finnish Financial Ombudsman Bureau.

When you contact FINE on its website by using the electronic complaint form requiring identification, the processor of your personal data for the purpose of providing the information to FINE is Koodiviidakko Oy (Kansankatu 53, 90100 Oulu, www.viidakko.fi), acting on behalf of FINE.

FINE will not disclose any personal data of interested parties or their representatives or agents to third parties. However, the personal data and documents you have submitted for the purpose of the legal processing of the case will be notified to the other party in the case and to any other interested parties being heard in the case, such as the injuring party in a liability insurance case.

If FINE considers it necessary to request an expert opinion in order to resolve the case, FINE will also disclose data to the external expert it employs. The expert is also bound by a non-disclosure obligation. Additionally, FINE may have to provide data to an authority upon a separate request from the authority under the law.

The period for which personal data will be stored

FINE will retain your personal data for ten (10) years after the case has been closed. The retention period is based on the legal limitation periods and periods for bringing proceedings.

The data in the electronic complaint form are retained on the proxy server for a week in order to technically ensure that they reach FINE, after which they are erased.

Protection of personal data

FINE will store the material containing your personal data in facilities protected by access control. The electronic customer filing system is protected, and its access is restricted to only FINE's personnel and technical support personnel bound by non-disclosure obligations. The conservation of personal data is ensured by a separate technical system. All electronic communications involving personal data take place using an encrypted channel.

Right of access to personal data, rectification, erasure and the right to lodge a complaint

You have the right to receive, upon request, confirmation as to whether your personal data are being processed and a copy of your data filed at FINE in accordance with Article 15 of the General Data Protection Regulation. You have the right to demand rectification or completion of inaccurate personal data in accordance with Article 16 of the General Data Protection Regulation.

In dispute cases, after you have submitted your case for processing at FINE you have no right to request the erasure, portability or restriction of processing of personal data or to object to the processing of personal data within the aforementioned period for processing and storing personal data under Articles 17, 18, 20 and 21 of the General Data Protection Regulation. These limitations are due to the fact that FINE's out-of-court dispute settlement procedure involves the exercise and defence of a legal claim under the General Data Protection Regulation. The processing of the case has essential effects on the other party's rights and legal status as well, regarding e.g. the limitation period laid down in law for the related legal claims, and FINE therefore has legal obligations to retain the processing records concerning the case. FINE will not process personal data by automated means or by means of automated decision-making.

Apart from the right to data portability, the aforementioned limitations do not concern the advisory cases that are clarified at FINE. In advisory cases you have the right to request FINE to erase your personal data from its customer filing system or to restrict the processing of your data, if you so wish.

The right to lodge a complaint with a supervisory authority

Under Article 77 of the General Data Protection Regulation, without prejudice to any other administrative or judicial remedy, every data subject has the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement, if the data subject considers that the processing of personal data relating to him or her infringes the Regulation.

You may raise FINE's procedure concerning the processing of your personal data with the data protection ombudsman:

Office of the Data Protection Ombudsman
Visiting address: Ratapihantie 9, 6th floor, 00520 Helsinki
Postal address: P. O. Box 800, 00521 Helsinki

Tel. +358 29 56 66700
Fax: +358 29 56 66735
Email: tietosuoja(at)om.fi