



ASSOCIATION OF
CHIEF POLICE OFFICERS



Association of British Insurers

ACPO & the Association of British Insurers (ABI) Memorandum of Understanding on the Exchange of Information between the Police, Insurance Companies and Loss Adjusters

The Association of Chief Police Officers with the Association of British Insurers has agreed to this revised Memorandum of Understanding being circulated to, and adopted by, Police Forces in England, Wales & Northern Ireland.

It is NOT PROTECTIVELY MARKED under the Government Protective Marking Scheme and any referrals for advice and rationale in relation to Freedom of Information Act disclosure, should be made to the ACPO Central Referral Unit at acpo.advice@foi.pnn.police.uk.

Document information

Protective marking	NOT PROTECTIVELY MARKED
Author	Commissioner Adrian Leppard
Force/Organisation	City of London Police & ABI
National Policing Business Area	Crime
APP/Reference Material	Reference Material
Contact details	020 7601 8129
Review date	June 2016
Version	3.0

This revised MoU has been produced and approved by the National Policing Crime Business Area. This document was considered and approved by the Professional Practice Gateway Group on the 25th June 2014. The purpose of this document is to deal with requests for information from insurers and loss adjusters' involving property crime or lost property. This MoU only applies to issues arising from the insurance claim and not queries arising from the proposal at the application stage. It will be updated and re-published as necessary.

Any queries relating to this document should be directed to either the author detailed above or the ACPO Programme Support Office on 020 7084 8959/8958.

Contents

Section	Page
1 Introduction	4
2 General Principles	4
3 Communications from Insurance Companies and Loss Adjusters'	5
4 Supply of Information where there is Specific Reason to Check a Claim	6
5 Supply of Information where there is Evidence to Suspect a Fraudulent Insurance Claim	7
6 Post Claim Procedures	8
7 Additional Guidance from ABI to Assist Forces when a Request for Disclosure of Personal Information is Received in Connection with an Insurance Claim	8

Appendix A	Insurance Information Liaison Details (Page 10)
Appendix B	Police Liaison Details (Page 10)
Appendix C	Guidance Note for ABI Members (Page 11)
Appendix D(a)	Request to be Insured for Consent to Disclosure of Information held by the Police (Page 14)
Appendix D(b)	Request to be Insured for Consent to Disclosure of Information held by the Police (Page 15)
Appendix E	Request for Information held by the Police where there is Evidence to Suspect a Fraudulent Insurance Claim (Page 17)
Appendix F	Disclosure of Information to the Insurance Industry by the Police where there is Evidence to Suspect a Fraudulent Insurance Claim (Page 18)

1. SECTION 1 – INTRODUCTION

- 1.1 It is evident that there are significant attempts to obtain money fraudulently from the Insurance Industry and this is a criminal matter. The Association of Chief Police Officers (ACPO) and the Association of British Insurers (ABI) are working together to address this problem. This Memorandum of Understanding (MoU) is to provide guidelines for local police forces and insurers regarding the provision of police information for this purpose.
- 1.2 This version of the MoU, replaces previous versions issued in 2002 and January 2005. This MoU has been prepared by ACPO and the ABI in consultation with their members.

2. SECTION 2 – GENERAL PRINCIPLES

2.1 THE FOLLOWING GENERAL PRINCIPLES HAVE BEEN AGREED:

- 2.1.1 This MoU is intended to deal with requests for information from insurers and loss adjusters involving property crime or lost property (some forces do not record lost property reports), although they could be applied to other crime categories. This MoU only applies to issues arising from the insurance claim and not queries arising from the proposal at the application stage.
- 2.1.2 No criminal records or details of proven offences (i.e. convictions, cautions, youth cautions, etc) will be supplied, irrespective of whether or not the claimant consents.
- 2.1.3 Section 56 of the Data Protection Act will come into force on 1 December 2014, making it a criminal offence to use Enforced Subject Access. The Information Commissioner's Office (ICO) will have powers to prosecute firms who use it.
- 2.1.4 Every request for information will be considered on an individual basis. If there is an ongoing investigation which is sensitive or in which the offender is not yet aware of the police investigation the Officer in the Case must be consulted prior to any dissemination to ensure there is no prejudice to the ongoing investigation or subsequent court proceedings. In the event of a dispute, the views of the officer in the case will prevail. Reasons for agreeing or not agreeing to disclosure will be recorded. Information supplied pursuant to this MoU may only be used for the purposes specifically intended by the MoU.
- 2.1.5 Requests for information will only be received for consideration from Insurance Companies (see Appendix A) and Loss Adjusters acting on their behalf. Where a Loss Adjuster makes an information request, they must provide the name of the Insurer for whom they are acting on the relevant request form Each Force will establish a postal contact point for liaison with the Insurance Industry in connection with these guidelines and these details will be on the Force web site with the cheque payee information. Please see App B for location of a master list.
- 2.1.6 In most instances, Insurers and Loss Adjusters should decide what minimum information they require from the police when there is a specific reason to check a claim¹ and obtain the relevant² consent using the Appendix D (a) or (b) form. If this consent is challenged or if there is a danger of tipping-off a suspected fraudster, information may be requested without consent (using the Appendix E form), but this Appendix E request must include details of the evidence which leads the insurer to suspect that a criminal act may have been committed. Insurers should note that the police are unable to release information under an Appendix E request, if their records do not support the suspicion that a crime has been committed as the exemption at section 29(3) of the Data Protection Act 1998 will not apply.

¹ See App C section 4 para 13

² Insurers or Loss Adjusters should ensure that consent is obtained from the person who supplied the information to the police. For example, if a driver reports the theft of a load but the insurance claim is made by the company owning the load it will be necessary to provide the driver's consent to the police for the disclosure of the incident log or relevant crime information.

- 2.1.7 Insurance companies and loss adjusters are included as organisations to whom information may be disclosed in the standard notifications made by Forces under the Data Protection Act 1998 (private sector organisations working with police in anti-crime strategies).
- 2.1.8 The ABI has prepared guidance for its members in respect of applying for information under this MoU (Appendix C). This provides that the insurer/loss adjuster who receives information as a result of a request made under this MoU becomes a data controller at the point of receipt and will be responsible for compliance with the Data Protection Act with respect to that information.
- 2.1.9 Claimants will be advised at the application and claim stage that the insurer may exchange relevant information with the police where any claim is believed to be fraudulent or with the consent of the claimant in cases where such information is needed to validate the claim. [*This in itself could be regarded as a valuable crime prevention measure, which could make claimants think twice before making a fraudulent insurance claim*].
- 2.1.10 The Insurance industry recognises that values attributed to property may not be accurate when supplied by claimants at time of stress and that property lists may be incomplete. If force systems enable staff to identify the dates when property was reported stolen, this information can be disclosed to the insurer if it is relevant to the validation of a specific claim. The insurance industry recognises that forces keep this information for policing purposes and not the evaluation of insurance claims.
- 2.1.11 Request forms from the Insurer should be authorised by a person with sufficient seniority and experience to have satisfactory knowledge of these guidelines and who is able to ensure that the request meets the agreed criteria.
- 2.1.12 Any disputes in relation to the provision of information under this MoU should be escalated within the police force or Insurer in order to resolve the matter. For example, a claims handler would refer the matter to the head of claims or claims director. For police forces, any disputed requests should be emailed to the post holder as indicated on the spreadsheet, See App B.
- 2.1.13 The ABI, ACPO and CILA³ will act as central contact points in relation to any issues with the content of this MoU raised by insurance companies, police forces and loss adjusters respectively. Insurance Database Ltd (IDSL)/Polaris UK Ltd run a database of household, motor claims and personal injury claims, which can be checked to see if an individual has submitted an insurance claim. Police should submit written requests on an appropriate form giving name, full postal address and date of birth if known, of the claimant as well as type and estimated date of claim, by fax to IDSL on 020 7265 5770. For further information telephone 020 7265 5750.
- 2.1.14 This MoU will continue to be subject to periodical review as necessary and fees will be revised in accordance with current ACPO Guidelines on Charging for Police Services. The fees charged for goods and services provided under this MOU will be considered outside the scope of VAT, as confirmed in the 2014 HMRC guidance⁴.
- 2.1.15 Either party may give not less than six (6) months' written notice to the other party to terminate this MoU.
- 2.1.16 Upon termination of this MoU the parties shall cooperate to ensure an orderly end to the provision of services.

3. SECTION 3 – COMMUNICATIONS FROM INSURANCE COMPANIES AND LOSS ADJUSTERS'

³ Chartered Institute of Loss Adjusters

⁴ Local Compliance, Individuals & Public Bodies S0483, HMRC (Glasgow) reference 019113/ADC – 6th May 2014 – Association of Chief Police Officers (ACPO) Liability to VAT on Information provided by a Police and Crime Commissioner and/or Chief Constable to Insurance companies to check a claim lodged by the insured or where the insurer suspects there is a fraudulent claim.

- 3.1 It is recognised that a considerable amount of communication takes place between the insurance industry and police service and it is in the interest of all parties to ensure that only necessary communications take place in order to reduce the number of telephone calls and relieve administrative burdens. Other than confirmation that a crime reference number is in the format that a force uses, no other information will be made available over the phone.
- 3.2 Letters from the Insurer, which merely request that an interest is noted and giving details of the claim, should not be sent unless covered by section 6 following the settlement of a claim. No response will be made unless there is relevant information to disclose.
- 3.3 Requests for information from the insurer where there is specific reason to check a claim will be handled in accordance with Section 4 of this MoU.
- 3.4 Request for information from the insurer where there is evidence to suspect a fraudulent insurance claim will be handled in accordance with Section 5 of this MoU.
- 3.5 Requests from the insurer for a force to investigate crime will be evaluated on the basis of the grounds for suspicion put forward. Alternatively IFED, the Insurance Fraud Department based in the City of London Police⁵, investigates insurance fraud in England and Wales. IFED accepts cases from insurers and occasionally law enforcement agencies. Referrals must be made via Action Fraud www.actionfraud.police.uk.

4. SECTION 4 – SUPPLY OF INFORMATION WHERE THERE IS SPECIFIC REASON TO CHECK A CLAIM

- 4.1 Insurers may request information from police about a reported crime/loss of property where the Insurer has a specific reason to check a related claim. Where **requests are made they must be in the agreed format (Appendix D(a) or D(b)), as follows:**
- **Appendix D(a):** This form should be used when the insurer wishes to obtain confirmation of the following information about the crime or lost property; Crime/Lost Property Reference Number, date and time the offence was reported, aggrieved or reporting person. Forces are asked to make the Insurer aware if this information is not available. The charge for this will be one hourly charge from the current ACPO fees and charges⁶ and forces will endeavour to respond within 10 working days.
 - **Appendix D(b):** This form should be used when the Insurer requires information in addition to the above. The charge for this will be the charge for a crime report and incident log from the current ACPO Guidelines for Police Charges⁷ and Forces will endeavour to reply within 30 working days.
- 4.2 In respect of the charges mentioned in 4.1 above cheques should be made payable to the respective Police and Crime Commissioner (PCC) e.g. 'Leicestershire Police and Crime Commissioner'. (Account names vary so check for specific name with force Finance department Accounts Receivable team.) For location of cheque payee details refer to App B.
- 4.3 Forces are asked to advise the insurer if they are unlikely to be able to respond within the time limit and should provide the contact details of the person dealing with the request.
- 4.4 Insurers should note that the police will respond in respect of the specific questions asked by the insurer on the relevant form.
- 4.5 In exceptional cases it will be possible under this Section for insurance companies and loss adjusters to seek formal interviews with police officers at the standard ACPO fee⁸. Granting permission for such interviews will be at the discretion of the force concerned and any interviews will be conducted

⁵ IFED went live on 3rd January 2012.

⁶ £27.10 in 2014/15 See ACPO Guidelines on Charging for Police Services on www.acpo.police.uk for current charges

⁷ £115.50 in 2014/15 See ACPO Guidelines on Charging for Police Services for current charges

⁸ £129.00 in 2014/15 See ACPO Guidelines on Charging for Police Services for current charges

in accordance with force guidelines. A request for an interview should be made through the same process as any other request in the first instance.

- 4.6 It should be noted that in certain circumstances the release of information may be delayed. For example, there may be outstanding criminal proceedings in relation to the original offence, which gave rise to the insurance claim. In these circumstances, all information will be classed as sub-judice and the investigating officer will need to decide if disclosure would be likely to jeopardise the court proceedings. If a court hearing is pending, no copies of statements⁹ will be supplied prior to the conclusion of the court hearing. The police may, however, advise if a person has been charged (although personal information will not be released) or indicate that the claimant is not under suspicion.
- 4.7 The information requested should be factual and clearly specified on the relevant form. The police will not provide expressions of opinion and can only provide an answer to question where the claimant has consented.
- 4.8 The Insurer or their authorised agent will write to claimants with a list of the specific questions they intend to request the force to answer, along with their reasons for requesting its disclosure. The claimant will be asked to give written consent to the disclosure and the issue of specified information/material by the force. If such consent is given, it must be fully informed and the person consenting must be the person to whom the information relates. The claimant will also be asked to indicate whether they wish to be sent a copy of the police response at the same time as it is forwarded to the insurer/loss adjuster. A copy of the form with the claimant's written explicit consent will be forwarded to the force prior to disclosure being made.
- 4.9 A general consent to disclosure at the application or claim stage will not be acceptable because it is recognised this might put undue pressure on the individual to agree to disclosure. Moreover, the insured would not have knowledge of the specific disclosures to be made.
- 4.10 Refusal by the claimant to give consent to disclosure will not, by itself, provide grounds for the insurer to revert to Section 5 of this MoU for disclosure of information.

5. SECTION 5 – SUPPLY OF INFORMATION WHERE THERE IS EVIDENCE TO SUSPECT A FRAUDULENT INSURANCE CLAIM

- 5.1 When para 2.1.6 has been complied with and an insurer has evidence which indicates that the claim may be fraudulent the form at Appendix E should be completed. Information provided should include:
- Reason why the claim is believed to be fraudulent – for the police to be able to comply with the request, both the insurer and the police must suspect a fraud has been committed;
 - What information is requested; and
 - Reasons why this information is requested based on evidence provided by the insurer.
- 5.2 Applications for information made by Insurance Companies and Loss Adjusters in this category will not breach the Data Protection Act 1998 due to the Section 29(3) exemption provided that the force has information to support the suspicion or the investigating officer has reason to suspect that a fraudulent claim is being made and that failure to release the information would prejudice the prevention or detection of crime or the apprehension or prosecution of an offender.
- 5.3 Forces will undertake to advise insurers when there is evidence to demonstrate that a fraudulent insurance claim has been made. They would normally be advised as part of the investigation. Disclosure would be made pursuant to police powers for the prevention and detection of crime permitted by Section 29 (3) of the Data Protection Act 1998. (Appendix F may be used).

⁹ There is now a specific charge for statements £33.20 per statement of 3 pages with consent supplied, extra pages £3.90 per page. Witness statements are £38.80 with consent, £51.60 if the police have to seek consent. See ACPO Guidelines on Charging for Police Services for current charges

- 5.4 No fee will be charged for requests made under this section.
- 5.5 At the Forces discretion, liaison may be permitted with the investigating officer in appropriate cases.
- 5.6 In addition, formal interviews may be permitted following the conclusion of any criminal proceedings. A decision will be taken by the force concerned whether or not it would be appropriate to charge the standard fee.
- 5.7 Insurers should note that in order to comply with the legal basis for the disclosure of information under this section, they are responsible for notifying the force of the outcome of their investigation. Where the insurer has further evidence of criminal conduct they will notify the relevant force and provide assistance to enable the force to consider criminal proceedings.
- 5.8 Should a claimant be successfully prosecuted or cautioned in relation to a fraudulent insurance claim, the force will notify the insurer.

6. SECTION 6 – POST CLAIM PROCEDURES

- 6.1 Where the Insurer is a victim of a fraudulent claim, which results in criminal proceedings then the Force, will keep the Insurer advised in order that they may seek recovery of assets.
- 6.2 Having settled a claim, if in accordance with the ABI guidance the Insurer wishes to claim the return of any property, which might be recovered, then notification to that effect will be sent to the Force.
- 6.3 The Force will endorse the crime report accordingly. No acknowledgement will be sent.
- 6.4 The Insurer (not the Insured) should be advised that the property is available for collection. If the Insurer is notified that the property in question is available for collection then they will undertake such collection promptly.
- 6.5 In the event of conflicting claims appropriate legal advice may be obtained.
- 6.6 Once the claim has been settled, the insurer/loss adjuster is in essence the 'victim'. If the insurer/loss adjuster believes that the costs of civil action and the likelihood of recovery outweighs their expenditure on the case, they should write and inform the Force concerned of this decision and request information for the purpose of obtaining compensation or recovering outlay in the same way as any other victim who has not received compensation through the court process. Forces may release the name and address of the offender if they have been convicted, cautioned, received a youth caution or a conditional youth caution or had any other type of disposal that their details may be provided to their victim for the purpose of restitution. If the offender is a juvenile, the name and address of the parent or guardian will be released.

7. SECTION 7 – ADDITIONAL GUIDANCE FROM ABI TO ASSIST FORCES WHEN A REQUEST FOR DISCLOSURE OF PERSONAL INFORMATION IS RECEIVED IN CONNECTION WITH AN INSURANCE CLAIM

- 7.1 Forces may receive a request for disclosure of information (usually just names and addresses) from insurers, their agents, or the Motor Insurers' Bureau (MIB), on behalf of a third party who has suffered injury or damage to their property and wishes to claim damages. It is reasonable to provide these details if the data subject or their insurer is required to meet the claim because failure to do so could prevent the third party claiming damages to which they may be entitled.
- 7.2 The following may assist forces when considering releasing information:

- Following a collision the at-fault party may leave the scene having given false details (or no details) to the injured party or other witnesses. In such circumstances Police information can be important in tracing those at fault.
- If a thief steals a car and causes personal injury/damage to property, the insurer of the stolen car is required by the Road Traffic Act to meet the claim. This only applies, however, if the thief is identified, i.e. in effect, an identified individual who may be sued.
- If a thief steals a car, causes personal injury/damage to property and absconds, leaving the car at the scene, then the MIB meets the claim.
- If a thief steals a car, causes personal injury/damage to property, and drives off (i.e. "hit and run"), then the MIB meets the personal injury element of any claim and may meet the property damage element.

7.3 In all the above scenarios Police information could be important in tracing the thief/at fault party, helping an insurer (if any) or the MIB to pursue compensation for innocent parties.

Appendix A

INSURANCE INFORMATION LIAISON DETAILS

Forces should recognise that details regarding ABI members change frequently. A full and current list can be found on the ABI's website at www.abi.org.uk by clicking on 'About the ABI', then 'Our Members'.

Appendix B

POLICE LIAISON DETAILS

The contact list for forces and the cheque payee details are on the ACPO website <http://www.acpo.police.uk/ProfessionalPractice/Crime.aspx>
Forces should e-mail the ACPO office info@acpo.pnn.police.uk with any amendments.

Appendix C

GUIDANCE NOTE FOR ABI MEMBERS

Background

1. These guidelines are made pursuant to paragraph 2.1.8 of this MoU.
2. In 1978 the ACPO Crime Committee issued guidelines on the exchange of information between Police and insurers. However, these guidelines were administratively burdensome and resource-intensive for the Police who were overwhelmed by the sheer volume of requests for information received.
3. The ABI and ACPO subsequently agreed to draft revised guidelines in recognition that the system in place at that time was not working well in practice. These guidelines were introduced in 2002 and subsequently reviewed and revised in 2005 and 2014. They were intended to complement the joint ABI/ACPO document "Acceptance Criteria and Guidelines for the Reporting of Suspected Fraudulent Insurance Claims to the Police".

Complying with the Guidance Note

4. The ABI has agreed with ACPO that requests from insurers and loss adjusters will only be responded to by the police if they comply with the MoU and these guidelines and if requests are made by on or on behalf of current ABI members (available on the ABI website: www.abi.org.uk).
5. For the avoidance of doubt, these guidelines apply in respect of both insurers and loss adjusters acting on behalf of insurers. As ABI members, insurers are responsible for ensuring that loss adjusters acting on their behalf comply with the MoU and these guidelines.
6. With reference to paragraph 2.1.8 of the MoU, the insurer or loss adjuster who receives information as a result of a request under the MoU will become the data controller on the point of receipt and will be responsible for compliance with the Data Protection Act in respect of that information.

Basis for requesting information

7. These Guidelines make clear that there are two reasons for which insurers should approach the Police for information:
 - Where there is specific reason to check a claim (section 4); and
 - Where there is evidence to suspect a fraudulent insurance claim (section 5).
8. Insurers - or loss adjusters working on their behalf - who make approaches to the police which do not comply with the MoU and these Guidelines run the risk of having their requests for information refused.

Correspondence

9. All requests for information must be made according to the agreed format set out in the Appendices to the MoU. Other correspondence should be limited to supporting information supplied with the appropriate form. The police will not acknowledge letters registering an insurer's interest in a particular case. Insurers are requested to keep these to a minimum and not to be sent as a matter of routine. Many forces simply do not have the resources to deal with large volumes of correspondence.
10. Loss adjusters must confirm to the police that they are requesting information as an appointed agent of a named Insurer (listed on the ABI website).
11. Paragraph 24 of these guidelines provides that the police wish to be informed about the outcome of an Insurer's investigations where information had been requested under section 5 of the MoU.

Dispute Resolution

12. With reference to paragraph 2.1.12 of the MoU, any disputes in relation to the provision of information under these guidelines should be escalated within the Force and the insurance company in an effort to resolve the issues. For example, a claims handler should refer the matter to the head of claims or claims director. Similarly, police officers should refer disputed requests in the first instance to the post holder indicated on the list maintained on the ACPO website.

Section 4 : Supply of information where there is specific reason to check a Claim

13. This section relates to cases where the insurer has reason to check a claim but where there is not yet enough evidence to draw the reasonable conclusion that fraud is being attempted. By way of an example, goods reported stolen in a burglary may appear to the insurer to be well beyond the ordinary means of the claimant (eg. very expensive items of jewellery belonging to someone in a modestly paid job) and the claimant has been unable to provide any proof of ownership. In these circumstances the Insurer might have reasonable grounds to make further inquiries about the claim. Information from a police crime report could assist the insurer's decision whether or not to settle the claim.
14. Requests under this section require the explicit consent of the insured for an approach to be made to the police. There is of course the strong possibility that the claimant would not give consent where they believed that a crime report would not support their insurance claim. It is recommended that the insurer should seek the insured's consent at two stages:
 - Firstly, at the application stage, the insured should be notified that, with the consent of the insured, the insurer might exchange information with the police where this is needed to validate a claim;
 - Secondly, at the point of claim, explicit prior consent must be obtained before information can be requested from the police. Settlement of the claim can be made dependent on consent being given if the insured had been notified at proposal stage.
15. The insurer must be satisfied that explicit consent has been properly and appropriately obtained.
16. All requests for information must be made in the agreed format provided in Appendix D(a)

or D(b) of this MoU. The insured will be shown the form which will be sent to the Police so that their consent or otherwise is explicitly obtained regarding the exact information about them which will be passed from the insurer to the police. The insured can also indicate if they wish to see an exact duplicate of the information which is sent by the police to the insurer in response. If the insured gives consent, then the original form (Appendix D(a) or D(b)) should be sent to the police.

17. Insurers may request limited information such as the crime/lost property reference number, date and time of loss, reporting person and location of crime/loss using the form at Appendix D(a). More detailed information should be requested by asking specific questions and using the form at Appendix D(b).
18. Both Appendix D(a) and (b) require reasons to be given for why the information is requested. A short summary of the grounds for making a suitable check must be provided so that the Police can understand that it is appropriate for them to respond. Using the example cited in paragraph 12 above, a reason might be, "Exceptionally valuable items claimed for, no proof of ownership supplied, sum insured is very modest." The insured will see this in advance when consent is requested.
19. Because requests for information under this section are not based upon firm evidence that a crime is being attempted, the police will charge a fee for each request made to cover administrative costs. Current charges are on the ACPO website.

Section 5 : Supply of information where there is evidence to suspect a fraudulent insurance claim

20. This section relates to cases where the insurer has evidence to support their suspicion of insurance fraud. Disclosure of information for this purpose is permitted under Section 29(3) of the Data Protection Act 1998 on a case-by-case basis where failure to disclose would lead to a crime being committed.
21. In these cases the explicit consent of the claimant is not required in order to request information from the police.
22. All requests for information must be made in the agreed format shown at Appendix E. The Insurer will be required to summarise the evidence that they have and supply copies of supporting documentation to the Police. Evidence summaries should be sufficiently detailed to lead the police to suspect a crime has been committed. For example, evidence such as "this vehicle cannot be stolen without the keys" will not in itself meet the required standard of suspicion, since keys may be cloned. Requests for information are only likely to fall under section 5 where the insurer has carried out some detailed investigations into a claim.
23. No fee will be charged for requests made under this section.
24. The police have asked that where they have supplied information in response to a request under section 5, the insurer should in due course inform the police of the outcome of their investigation and the claim. Where the Insurer feels they have proven a fraud the police should be presented with the file of evidence. Where the insurer has decided not to pursue the matter they should inform the police accordingly.

Appendix D(a)

REQUEST TO THE INSURED FOR CONSENT TO DISCLOSURE OF INFORMATION HELD BY THE POLICE

Details of Insurer/Loss adjuster to who response should be sent

Name:

Claim No.:

Address:

If request is from a Loss adjuster details of insurer on whose behalf the Loss adjuster is working

Name:

Address:

Details of Insured

Name:

Address:

In order to assist with the progress of your claim, we would ask for your consent to enable us to obtain the following information from the _____ Police / Constabulary.

Details of Crime/Lost Property

*Crime/Lost Property Reference Number:

(* delete the inapplicable as crime/lost property records kept separately)

Date and Time of report to Police:

Reporting Person:

Location of crime/loss:

The reason we need this information is:

Consent

I *consent / do not consent to the release of this information.

Do you wish the Police to send you a copy of their response to these questions? Yes/No*

*(The claimant should delete as appropriate)

Name:

Signed:

Date:

Appendix D(b)

REQUEST TO THE INSURED FOR CONSENT TO DISCLOSURE OF INFORMATION HELD BY THE POLICE

Details of Insurer/Loss adjuster to who response should be sent

Name:

Claim No.:

Address:

If request is from a Loss adjuster details of insurer on whose behalf the Loss adjuster is working

Name:

Address:

Details of Insured

Name:

Address:

Details of Crime

Date and Location of Crime

In order to assist with the progress of your claim, we would ask for your consent to enable us to obtain the following information from the _____ Police / Constabulary.

The information requested and the reason for seeking it is set out below.

Information Requested - Details of Crime

Crime Reference Number:

Date and Time of report to Police:

Aggrieved Person:

Location of crime:

The reason we need this information is:

Consent

I *consent / do not consent to the release of this information.

*Signed:

Date:

* Insurers or Loss Adjusters should ensure that consent is obtained from the person who supplied the information to the police.

Additional information. This must be specific and state exactly what you can justify as being necessary. For example, copy of the victim's statement, what the person reporting said in the initial call, list of stolen property, verification of entry, location of keys, etc. The police will not supply copies of SOCO/forensic reports, ANPR records, results of house to house enquiries or details of the police investigation. The reason for each item must be explained below and the relevant person's consent must be shown.

1.	Information Required		
	Reasons		
Consent			
I *consent / do not consent to the release of this information.			
**Signed:		Date:	

2.	Information Required		
	Reasons		
Consent			
I *consent / do not consent to the release of this information.			
**Signed:		Date:	

3.	Information Required		
	Reasons		
Consent			
I *consent / do not consent to the release of this information.			
**Signed:		Date:	

Do you wish the Police to send you a copy of their response to these questions? Yes/No*

*(The claimant should delete as appropriate)

Name:			
**Signed:		Date:	

Appendix E	
REQUEST FOR INFORMATION HELD BY THE POLICE WHERE THERE IS EVIDENCE TO SUSPECT A FRAUDULENT INSURANCE CLAIM	
Details of Insurer/Loss adjuster to who response should be sent	
Name:	
Address:	
If request is from a Loss adjuster details of insurer on whose behalf the Loss adjuster is working	
Name:	
Address:	
Constabulary	
To:	
I am making enquiries, which are concerned with the investigation of a fraudulent insurance claim, which is a criminal offence. Disclosure of information for this purpose is permitted under Section 29(3) of the Data Protection Act 1998 on a case-by-case basis where failure to disclose would lead to a crime being committed.	
Ref No:	
Nature of enquiry and information requested	
Summary of existing evidence to suspect a fraudulent insurance claim has been made. (To be supplemented by copies of documentation)	
Declaration	
I confirm that the personal data requested is required for this purpose and failure to provide the information will, in my view, be likely to prejudice my investigation.	
Name: (block capitals)	
Post:	Department:
*Signed:	Date:
Supervisory signature	
Name: (block capitals)	
Post:	
*Signed:	Date:

Under the terms of the Information Sharing Memorandum of Understanding between the Police Service and the Insurance Industry, any further evidence of criminal conduct obtained by the Insurance Industry as a result of the disclosure requested, must be notified to the appropriate Police Force to enable that Force to consider criminal proceedings.

COPY TO BE KEPT ON FILE

Appendix F

DISCLOSURE OF INFORMATION TO THE INSURANCE INDUSTRY BY THE POLICE WHERE THERE IS EVIDENCE TO SUSPECT A FRAUDULENT INSURANCE CLAIM

R E S T R I C T E D

Details

From: (Constabulary)

To: (Insurer/Loss adjuster)

Address:

I am in possession of information which leads me to believe that this individual is intending to attempt to obtain money fraudulently through an insurance claim. I am disclosing this information for you as the Insurer to assist with this investigation and any subsequent prosecution. I confirm that if this personal data is not disclosed I will be unlikely to conclude my investigation.

This is a criminal offence and disclosure of information for this purpose on a case by case basis to prevent or detect crime is permitted under the Data Protection Act 1998, Section 29(3).

The information attached hereto is:

**THIS INFORMATION SHOULD BE HELD IN CONFIDENCE AND ONLY USED FOR THE
GROUNDS SET OUT ABOVE IT SHOULD NOT BE DISCLOSED WITHOUT THE CONSENT OF
THE CONSTABULARY.**

Signature

Name:
(block capitals)

Post:

Department:

***Signed:**

Date:

Countersigned (Supervisory officer)

Name:
(block capitals)

Post:

***Signed:**

Date:

Under the terms of the Information Sharing Memorandum of Understanding between the Police Service and the Insurance Industry, any further evidence of criminal conduct obtained by the Insurance Industry as a result of the disclosure requested, must be notified to the appropriate Police Force to enable that Force to consider criminal proceedings.

COPY TO BE KEPT ON FILE