



Principles of surveillance in social insurance

In the interests of all our honest customers, AXA would like to be able to resume checking suspected cases of fraud and protect the interests of our premium payers.

- In social insurance, surveillance is a restrained but effective means used to prevent fraudulent claims. Surveillance is used as a last resort in compliance with the new legal provisions (Art. 43a ATSG) if there is reasonable suspicion and all other appropriate methods employed have failed to clarify the situation. It has to be used with care and professionalism.
- AXA assigns very high priority to the protection of its insureds' personal rights. It always considers whether or not the interests of the insured community justify an infringement of personal rights. Proportionality must be upheld at all times.
- Intrusion into the personal rights of the insured person is only justified if high sums at the expense of the insured community are at stake.
- Before the decision can be made to conduct surveillance, various specialists within AXA assess the actual case. A decision is reached – as before and over and above the legal requirements – by each of two members of senior management (Head of the Fraud Office and Head of Legal Services - Claims & Personal Insurance). Both of them must be in agreement.
- Surveillance is carried out by external partners who are carefully selected, instructed and accompanied by AXA. The objectives, conditions and requirements for each order are recorded in writing. The provider undertakes to comply with data protection laws and regulations as well as the legal framework surrounding covert surveillance.
- Our external partners (firms of private investigators) must have the necessary license to carry out investigative activity.
- Surveillance is only permitted if the insured person remains in one place which is freely visible from a generally accessible public place. Recordings are inadmissible if the insured person is in private rooms (apartment). The video recordings only serve to secure evidence.
- The new law requires judicial consent for the use of tracking devices during surveillance. AXA welcomes the clarification of the authorization obligation.