

PRIVACY NOTICE - LENDING

A credit union is a member-owned financial cooperative, democratically controlled by its members, and operated for the purpose of promoting thrift, providing credit at competitive rates, and providing other financial services to its members. Data collection, processing and use are conducted solely for the purpose of carrying out the abovementioned objectives. This notice is so that we provide you with information around the use of your data for lending or lending related purposes.

Our contact details are:

Address: Crossmaglen Credit Union Ltd., 40 Cardinal O’Fiaich Square, Crossmaglen, Newry BT35 9HQ

Phone: 02830861176

Email: info@crossmaglencu.com

Contact Person: Data Protection Representative

Crossmaglen Credit Union is committed to protecting the privacy and security of your personal data. This privacy notice describes how we collect and use personal data about you during and after your relationship with us.

What personal data do we use?

We may collect, store, and use the following categories of personal data about you:

- Your name, address, date of birth, email, telephone, financial data, status, history, transaction data; contract data, details of the credit union products you hold/held with us, signatures, identification documents, photo on system, salary, occupation, accommodation status, mortgage details, previous addresses, spouse, partners, nominations, Tax Identification Numbers (TIN)/National Insurance numbers, passport details, interactions with credit union staff and officers on the premises, by phone, or email, current or past complaints, CCTV footage, telephone answering machine recordings, results of any credit search completed by you in our office in support of an application.

The purposes for which we use your personal data:

The credit union will use your personal data to assist it in carrying out the following:

- Assessing your loan application and determining your creditworthiness for a loan;
- Verifying the information provided by you in the application;
- We are obliged to purchase loan protection and life savings protection from ECCU;
- Administering the loan, including where necessary, to take steps to recover the loan or enforce any security taken as part of the loan.
- We may use credit scoring techniques and other automated decision-making systems to either partially or fully assess your application.
- Meeting legal and compliance obligations and requirements under the rules of the credit union.
- To comply with regulatory requirements to determine whether you are a connected borrower or related party borrower.

We may also collect, store and use the following “special categories” of more sensitive personal data:

- Information about your health, including any medical condition, health and sickness (See Insurance for further details)

We need all the categories of information in the list above to allow us to; identify you, to contact you and in order that we perform our contract with you.

We also need your personal identification data to enable us to comply with legal obligations. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

How we use particularly sensitive personal data

“Special categories” of particularly sensitive personal data require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data. We may process special categories of personal data in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations and in line with our data protection policy.
3. Where it is needed in the public interest, and in line with our data protection policy.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else’s interests) and you are not capable of giving your consent, or where you have already made the information public.

How secure is my information with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect your personal data in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes unless they are deemed to be controllers in their own right¹. We only permit them to process your personal data for specified purposes and in accordance with our instructions. Usually, information will be anonymised but this may not always be possible. The recipient of the information will also be bound by confidentiality obligations.

If you fail to provide personal data

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you or we may be prevented from complying with our legal obligations.

Change of purpose

You can be assured that we will only use your data for the purpose it was provided and in ways compatible with that stated purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Profiling

We may sometimes use systems to make decisions based on personal data we have (or are allowed to collect from others) about you. This information is used for loan assessment and anti-money laundering purposes and compliance with our legal duties in that regard.

Automated decision making

We may in the future use systems to make automated decisions based on personal information we have – or are allowed to collect from others – about you or your organisation. When you apply for a loan, we use data from different sources to look at your ability to repay the loan. We also use information provided by you and information from third parties. The information we process for automated lending decisions includes Income, financial statements, transaction history, salary, spending and bills, internal credit rating, other loans held by you. In certain circumstances you can object to a decision based on automated processing.

Data Retention Periods

We will only retain your personal data for as long as necessary to fulfil the purpose(s) for which it was obtained, taking into account any legal/contractual obligation to keep it. Where possible we record how long we will keep your data, where

¹ As a data controller, the organisations will be required to have provided you with a separate privacy notice setting out what it does with its data.

that is not possible, we will explain the criteria for the retention period. This information is documented in our Retention Policy.

Once the retention period has expired, the respective data will be permanently deleted. If you require further information, please contact us. You can receive our data retention schedule on request.

Please see a sample of our retention periods below.

- Evidence of identity checks to be maintained for 6 years after an individual ceases to be a member of the credit union;
- Details of member transactions are maintained for a period of 10 years after the transaction;
- Loan application information is maintained for a period of 6 years from the discharge, final repayment or transfer of the loan and 12 years where the document is under seal;
- Forms and records will be retained in individual member files for 6 years after the relationship with the member has ended.

Planned data transmission to third countries

Data may be transferred from us to the Republic of Ireland (see below: Sharing of your information). The data is transferred on the basis of an adequacy decision by the UK in respect of the EU. However, please note that to register for online services (through a verification process) with Crossmaglen Credit Union, your mobile phone number may be transmitted outside the UK. This verification process is undertaken for us by a company called Plivo who are based in the United States of America. We will ensure that your personal data is treated by Plivo in a way that is consistent with and which respects the UK laws on data protection.

Updates to this notice

We will make changes to this notice from time to time, particularly when we change how we use your information, and change our technology and products. You can always ask us for a copy of an up-to-date version of this notice at our office.

Our use and sharing of your information

We will collect and use relevant information about you, your transactions, your use of our products and services, and your relationships with us. We will typically collect and use this information for the following purposes:



Fulfilling contract This basis is appropriate where the processing is necessary for us to manage your accounts and credit union services to you

Administrative Purposes: We will use the information provided by you, either contained in this form or any other form or application, for the purpose of assessing this application, processing applications you make and to maintaining and administer any accounts you have with the credit union.

Third parties: We may appoint external third parties to undertake operational functions on our behalf. We will ensure that any information passed to third parties conducting operational functions on our behalf will do so with respect for the security of your data and will be protected in line with data protection law.

Security; In order to secure repayment of the loan, it may be necessary to obtain security such as a charge on your property or other personal assets.

Credit Assessment: When assessing your application for a loan, the credit union will take a number of factors into account and will utilise personal data provided from:

- your application form or as part of your loan supporting documentation;
- your existing credit union file;
- results of any credit search carried out by you at our office

The credit union then utilises this information to assess your loan application in line with the applicable legislation and the credit unions lending policy.

Guarantors: As part of your loan conditions, we may make the requirement for the appointment of a guarantor a condition of your loan agreement in order that credit union ensures the repayment of your loan. Should your account go into arrears, we may need to call upon the guarantor to repay the debt in which case we will give them the details of the outstanding indebtedness. If your circumstances change it may be necessary to contact the guarantor.

Irish League of Credit Unions (ILCU) Affiliation: The ILCU (a trade and representative body for credit unions in Ireland and Northern Ireland) provides professional and business support services such as marketing and public affairs representation, monitoring, financial, compliance, risk, learning and development, and insurance services to affiliated credit unions. As this credit union is affiliated to the ILCU, the credit union must also operate in line with the ILCU Standard Rules (which members of the credit union are bound to the credit union by) and the League Rules (which the credit union is bound to the ILCU by). We may disclose information in your application or in respect of any account or transaction of yours from the date of your original membership to authorised officers or employees of the ILCU for the purpose of the ILCU providing these services to us.

The ILCU Savings Protection Scheme (SPS): We may disclose information in any application from you or in respect of any account or transaction of yours from the date of your original membership to authorised officers or employees of the ILCU for the purpose of the ILCU providing these services and fulfilling requirements under our affiliation to the ILCU, and the SPS. The Privacy Notice of ILCU can be found at www.creditunion.ie

For the processing of electronic payments services on your account (such as credit transfers, standing orders and direct debits), the Credit Union is a participant of CUSOP (Payments) DAC (“CUSOP”). CUSOP is a credit union owned, independent, not-for-profit company that provides an electronic payments service platform for the credit union movement in Ireland. CUSOP is an outsourced model engaging third party companies, such as a Partner Bank, to assist with the processing of payment data.

Insurance: As part of our affiliation with the ILCU, we purchase insurance from ECCU Assurance DAC (ECCU), a life insurance company, wholly owned by the ILCU. This includes Life Savings (LS), Loan Protection (LP), and optional related riders (where applicable).

If you choose to take out a loan with us, it is a term of your membership, by virtue of our affiliation with the ILCU that the credit union will apply to ECCU for Loan Protection (LP). In order that we apply for LP it may be necessary to process ‘special category’ data, which includes information about your health. This information will be shared with ECCU to allow it deal with insurance underwriting, administration and claims on our behalf.

Member Service: To help us improve our service to you, we may use information about your account to help us improve our services to you.



Our legal duty This basis is appropriate when we are processing personal data to comply with UK or Northern Ireland Law

Regulatory and statutory requirements: To meet our duties to regulators (the Financial Conduct Authority (FCA) and the Prudential Regulation Authority ((PRA), we may allow authorised people to see our records (which may include information about you) for reporting, compliance and auditing purposes. For the same reason, we will also hold the information about you when you are no longer a member. We may also share information with certain statutory bodies such as the Department for the Economy (DfE), the Financial Services Compensation Scheme (FSCS) and Financial Ombudsman Service (FOS) if required by law.

Compliance with our anti-money laundering and combating terrorist financing obligations: The information provided by you will be used for compliance with our customer due diligence and screening obligations under anti-money laundering and combating terrorist financing obligations under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 and associated legislation.

Audit: To meet our legislative and regulatory duties to maintain audited financial accounts, we appoint an external auditor. We will allow the external auditor to see our records (which may include information about you) for these purposes.

Connected Party Borrowers: We are obliged further to regulatory obligations to identify where borrowers are connected in order to establish whether borrowers are acting together to achieve an aggregate loan that exceeds the limits set out in our lending policy.



Legitimate interests A legitimate interest is when we have a business or commercial reason to use your information. But even then, it must not unfairly go against what is right and best for you. If we rely on our legitimate interest, we will tell you what that is.

Credit Assessment: We may use information from the Electoral Register and other public sources. When you apply to us for a loan, we may check the following records about you:

- (a) Our own records
- (b) Those at fraud prevention agencies
- (c) Results of any credit search completed by you in our office.

Our legitimate interest: The credit union, for its own benefit and therefore the benefit of its members, must lend responsibly and will use your internal credit scoring information in order to determine your suitability for the loan applied for.

The searches may also assess your application for the purpose of verifying identities, to prevent and detect crime and money laundering. We may also make periodic searches at fraud prevention agencies to manage your account with us as part of our ongoing customer due diligence.

If you give us false or inaccurate information and we suspect or identify fraud we will record this and may also pass this information to fraud prevention agencies and other organisations involved in crime and fraud prevention.

Debt Collection: Where you breach the loan agreement we may use the service of a debt collection agency, solicitors or other third parties to recover the debt. We will pass them details of the loan application in order that they make contact with you and details of the indebtedness in order that they recover the outstanding sums

Our legitimate interest: The credit union, where appropriate will take necessary steps to recover a debt to protect the assets and equity of the credit union

Judgements Searches: We may carry out searches in [Belfast/London Stubbs Gazette(s)] in order to assess your credit worthiness to repay a loan

Our legitimate interest: The credit union, for its own benefit and therefore the benefit of its members, must lend responsibly and will use your internal credit scoring information in order to determine your suitability for the loan applied for. In carrying out such a search we can better determine your overall financial position in order to lend to you.

CCTV: We have CCTV footage installed on the premises with clearly marked signage. The purpose of this is for security.

Our legitimate interest: With regard to the nature of our business, it is necessary to secure the premises, property herein and any staff /volunteers/members or visitors to the credit union.

Your Rights in connection with your personal data are to:



Find out whether we hold any of your personal data and **if we do, to request access** to that data that to be furnished a copy of that data. You are also entitled to request further information about the processing.



Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you rectified.



Request erasure of your personal information. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).



Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.



Request the restriction of processing of your personal information. You can ask us to suspend processing personal data about you, in certain circumstances.



Where we are processing your data based solely on your consent **you have a right to withdraw that consent at any time and free of charge.**



Request that we: a) **provide you with a copy of any relevant personal data in a reusable format**; or b) **request that we transfer your relevant personal data to another controller** where it's technically feasible to do so. 'Relevant personal data is personal data that: *You have provided to us or which is generated by your use of our service. Which is processed by automated means and where the basis that we process it is on your consent or on a contract that you have entered into with us.*

You have a **right to complain** to the **Information Commissioners Office (ICO)** in respect of any processing of your data by;

Tel: 028 9027 8757 or 0303 123 1114 **Email:** ni@ico.org.uk

Post: ICO, 3rd Floor, 14 Cromac Place, Belfast, BT7 2JB

****Please note that the above rights are not always absolute and there may be some limitations.**

If you want access and or copies of any of your personal data or if you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we send you a copy/a third party a copy your relevant personal data in a reusable format please contact the Data Protection Representative in writing using their contact details below.

There is no fee in using any of your above rights, unless your request for access is clearly unfounded or excessive. We also reserve the right to refuse to comply with the request in such circumstances.

We may need to verify your identity if we have reasonable doubts as to who you are. This is another appropriate security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

Ensuring our information is up to date and accurate

We want the service provided by us to meet your expectations at all times. Please help us by telling us straightaway if there are any changes to your personal information. If you wish to avail of either of these rights, please contact us at **Crossmaglen Credit Union Ltd., 40 Cardinal O'Fiaich Square, Crossmaglen, Newry BT35 9HQ**

ECCU Assurance Privacy Notice issued in accordance with the General Data Protection Regulation (Points 1 to 7 below)

Protection of your Personal Data

1. INTRODUCTION

Your credit union, ("your CU"), has purchased a group life assurance policy from ECCU Assurance DAC, ("ECCU"), a life assurance company owned by the Irish League of Credit Unions, ("ILCU").

ECCU insures your life when you borrow money from your CU. Your CU is the policyholder, pays the insurance premium and receives the benefits we pay when it makes successful claims. Some credit unions take out additional cover from us but all credit unions affiliated to the ILCU subscribe to a minimum level of cover which aims to pay off an outstanding loan upon the death of a borrower, (subject to the terms and conditions of each credit union's policy).

Your CU and ECCU, and others described below, need to process your personal data for the purposes of the life assurance policy your CU has with ECCU. The personal data we process includes information relating to your health which we obtain from you directly and, in some cases, from your doctor or other medical advisors, ("your Doctors"), to whom we ask you to provide your consent in Section C of this form. We go into that in more detail below.

When you apply for a loan your CU will collect personal data from you and, if necessary, ask you to complete this form, called the ECCU Declarations form, and, sometimes, a more detailed Group Risk form.

It may be necessary for your CU to pass the form(s) securely to ECCU, who may pass them, in turn, to ECCU's chief medical officer, a medical doctor contracted to ECCU, and/or ECCU's reinsurer, for underwriting purposes. Upon review of these we may ask you or your Doctors to complete a Private Medical Attendant's Report, or Specialist Questionnaire, which explore your medical history in greater depth.

2. WHY DO WE PROCESS YOUR PERSONAL DATA?

Underwriting means we assess the information to identify any risk factors which would impact the terms on which ECCU provides cover, (e.g. impose exclusions), or cause us to decline cover altogether. The result of our assessment is an underwriting decision which will be communicated by ECCU to your CU. Your CU can provide more information to you about our underwriting decision and what effect an exclusion, if any, might have on your loan application.

We may also need your personal data, in the event of a claim by your CU against its policy with ECCU, and therefore we may keep it, to include your health data and our underwriting decision, for claims administration and statistical purposes.

3. WHICH DATA DO WE COLLECT AND PROCESS?

Some of the personal data we ask you to provide on the ECCU Declarations form, the Group Risk form and Specialist Questionnaire is health related data. This is a special category of personal data which we are allowed to process because, in the Republic of Ireland, it is necessary for the purposes of a life assurance policy and, in Northern Ireland, because the UK Government has provided that, with the provision of insurance and payment of claims being in the substantial public interest, the processing of health related personal data necessary for an insurance purpose is lawful. We take very good care of it either way.

We ask you to give us your current doctor's, (and any previous doctor's), name and address. This is so that we can contact them if we need further health related information about you in connection with your answers to the questions on this ECCU Declarations form, or Group Risk form.

We ask you to consent to your Doctors providing us with your health information, which we may seek from them should it be necessary. If we need this information we will send your Doctors a standard Private Medical Attendant's Report form, ("PMAR"), and/or Specialist Questionnaire for completion, or we may ask them to send more detailed medical information to us.

You indicate your desire for them to provide that information to us, and your consent to them doing so, by giving us your signature on section C of the ECCU Declarations form. We will provide your Doctors with a copy of your instruction and your signature so they can be assured of acting in accordance with your wishes if we need to ask them to send more detailed information to us.

4. HOW LONG DO WE KEEP YOUR DATA?

ECCU and your CU, and ECCU's reinsurance provider, (if reinsurance should be necessary), process and retain the information on your ECCU Declarations and other forms, your health information and underwriting decision until after your death, or until after your loan is paid off, whichever comes first.

5. WHAT IS THE LAWFUL BASIS FOR US PROCESSING YOUR DATA?

Legitimate Interests

We need this information for the purposes of a life assurance policy, i.e. for underwriting and claims administration and statistical purposes, and it is in ECCU and our reinsurance provider's legitimate interests to process your personal data in this way. You have the right to object to processing on the lawful basis of legitimate interests and we discuss that further, along with how you might make such an objection and the consequences of it, below.

Legal Obligations

ECCU also needs your personal data for the purposes of fraud prevention and to comply with our legal obligations under Section 35(3) of the Criminal Justice (Anti Money Laundering and Prevention of Terrorism) Act 2010, as amended, and to establish, exercise or defend legal claims in the courts or before the Data Protection Commission and to respond to complaints made to the Financial Services and Pensions Ombudsman's Bureau of Ireland, in the Republic of Ireland, or to the Financial Ombudsman Service in the UK.

Consent

Your Doctors need your consent in order to provide us with your health related data. If you do not provide your consent then your Doctors will not provide us with your health related data and, in the circumstances where we would need it, we would not be able to provide insurance cover to your CU. Your CU can advise on the options available to you if this should arise. You may withdraw your consent at any time however if you should withdraw your consent after your health related data has been supplied to ECCU by your Doctors then ECCU will

continue to retain it and process it, this being within its legitimate interests, for the purposes of its life assurance policy with your CU. If you wish to withdraw any consent you provided to your Doctors then you should contact your Doctors to advise them of this.

6. WHO HAS ACCESS TO YOUR DATA AND TO WHOM IS IT DISCLOSED?

Your CU, ECCU and its reinsurer, where applicable, are Joint Controllers of your personal data which are processed in connection with your CU's life assurance policy with ECCU.

In addition to the appropriate staff of your CU and ECCU, its Chief Medical Officer, and reinsurer, it is possible that we might need to make your personal data available to the Financial Services and Pensions Ombudsman's Bureau of Ireland, (or the Financial Ombudsman Service in the UK), the Data Protection Commission and/or our legal advisors in the course of the investigation of a complaint. The Central Bank of Ireland and the UK's financial regulators, the PRA and FCA, may also require access to your personal data in the course of their regulatory activities.

As described in this Privacy Notice, ECCU may in some instances disclose your personal data to third parties. ECCU has contracts in place with any third parties to whom your personal data may be disclosed containing measures that provide for the protection and security of your personal data when within their care.

Staff of the ILCU Information & Communications Technology department, and its outsourced suppliers, ILCU Monitoring and Insurance departments may have access to your personal data in the course of their work as outsourced data processors of ECCU.

ECCU also uses the services of a document storage and retrieval company, as a data processor, for safe and secure storage of documents that are not needed for lengthy periods.

ECCU is required by law to operate an internal audit function to review its internal control system and to undergo statutory external audit as well. These audit functions are supplied to ECCU by specialist external professional services firms. ECCU is also required to have an actuarial function which has a role in determining ECCU's reinsurance and capital requirements, statistical analysis and regulatory reporting. ECCU outsources this function to a specialist firm of actuaries. ECCU may be required to make your personal data available to these firms in the course of their work.

Keeping Your Personal Data Secure

In all cases ECCU takes very good care of your personal data and uses appropriate measures to safeguard your interests and your fundamental rights and freedoms with respect to protection of your private information.

ECCU has security measures in place, to include physical, technical and administrative safeguards to protect the confidentiality and security of your personal data. We combine these measures with a qualified staff whom we have equipped with appropriate annual training, technical and organisational policies, procedures and practices, so as to protect your personal data from loss, misuse and unauthorised access.

What are your rights and how can you exercise them?

You have specific rights in relation to the personal data we collect and process, including the right, where relevant, to:

- Be kept informed. This includes details on how your data is collected, used and secured. This Privacy Notice aims to inform you on these matters.
- Request a copy of your personal data by making a subject access request to the data controller(s);
- Rectification of errors, if any, in our records of your personal data;
- Request erasure of your personal data;
- Withdraw consent that you provided previously, for continued processing of your personal data. Please note this only applies where your consent is the lawful basis for the processing;
- Object to the processing of your personal data on the lawful basis of legitimate interests, see next section;
- Not be subject to automated decision making without human intervention being available;
- Request a portable machine readable copy of any personal data provided by you by electronic means.

Please see details on how to contact us in order to exercise any of these rights, below.

You also have the right to lodge a complaint with the relevant supervisory authority in Ireland, the Data Protection Commission at info@dataprotection.ie in respect of matters pertaining to ECCU, its reinsurer or your CU, if your CU is resident in the Republic of Ireland, and, alternatively, the Information Commissioner's Office, see www.ico.org.uk, if your CU is resident in the UK.

Objecting to processing on the lawful basis of Legitimate Interests of the Data Controller

ECCU and its reinsurer both process your personal data, to include your special category, health related data on the lawful basis of it being in their legitimate interests to do so. ECCU and its reinsurer need to process this data for the purposes of a life assurance policy, to perform underwriting and claims administration, and for the prevention of fraud. These grounds are in the legitimate interests of these assurance and reinsurance companies. You may object to such processing at any time and unless we can demonstrate compelling legitimate grounds for continuing, which override your interests, rights and freedoms, or unless the data is needed in connection with legal claims then we must discontinue the processing of your data on these grounds. If you wish to object to the processing of your data in this way please contact the Data Protection Officer at ECCU, see details below.

7. CONTACT INFORMATION

The Data Protection Officer, ECCU Assurance DAC, 33-41 Lower Mount Street, Dublin, D02 Y489. Tel: +353 1 614 6700 Email: DPO@eccu.ie

The Data Protection Officer, (of the credit union to which you are applying for this loan)

The Data Protection Officer, Arch Reinsurance Europe Underwriting Designated Activity Company, 160 Shelbourne Road, Ballsbridge, Dublin 4, Ireland Tel: +353 1 669 9700

ECCU Assurance DAC is regulated by the Central Bank of Ireland. Authorised by the Central Bank of Ireland.