

Naomh Breandain Credit Union

Lending Privacy Notice

1. Who we are

Naomh Breandain Credit Union's Lending Privacy Notice refers to our commitment to our compliance to data protection legislation including the Irish Data Protection Acts and the EU General Data Protection Regulation.

Throughout this document "we", "us", "our" and "ours" refers to Naomh Breandain Credit Union. Our registered address is Dunkellin Street, Loughrea, Co. Galway

Contract Data Protection Lead DPL@naomhbreandaincu.ie, 091 841773

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

2. Who we collect information from

Purpose of Data Collection, Processing or Use

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.

We collect and process your personal data in the course of providing and managing the loan. This personal data includes any offline physical data or online data that makes a person identifiable.

We process data for the following groups of individuals where it is necessary:

- Member applying for a loan
- Non member applying for a loan
- Unsuccessful loan applicants
- Member repaying current loans
- Guarantors
- Nominations
- Dependent individuals on the members disposal income
- Relevant spouse/partner for assessing income ability
- Parent / Guardian who may provide information but not act as guarantor?

We are the controller for the personal information we process, unless otherwise stated.

3. How we collect information about you

As a member applying for a loan, you directly provide us with most of the data we collect. We collect data and process data when you:

- Register an online account and apply for a loan
- Apply for a loan in the branch
- Apply for a loan over the phone
- Non member applying for a loan
- Voluntarily complete a member survey or provide feedback

We may also receive your data indirectly from the following sources:

- A member provided your data where you are the guarantor, the spouse, the dependent individual, in such cases the member obtains consent from the adults to capture their data
- *Account Information Service Provider (AISP), where you gave given authorisation for the AISP to send the banking details to use electronically*

4. What information we collect about you

Members applying for a loan and members with loans

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

- Your name, address, date of birth, email, telephone, financial data (including bank & credit card account information) , loan repayment status and credit history, transaction data; contract data, details of the credit union products you hold with us, signatures, identification documents, salary, occupation, accommodation status, mortgage details, assets and equity, previous addresses, partners, nominations, Tax Identification/PPSN numbers, passport details to satisfy Criminal Justice Acts in relation to Money Laundering, health information, interactions with credit union staff and officers on the premises, by phone, or email, current or past complaints, CCTV footage. Details of House insurance, Life assurance policy, confirmation of gift letter, independent valuation on property, Stamp 4/5 for non EU nationals, separation / divorce agreement.

As part of a loan underwriting process, we may need to capture limited information on other relevant individuals where such individuals consent for their data to be shared

Guarantors

We may collect, store, and use the following categories of personal information about you where necessary :

Your name, address, email, telephone, PPSN Number, Date of Birth, employment details, occupation, employer name, period of time with employer, residential status, relationship status and dependents, financial data, Wage slips, Bank Statements,

Spouse/Partner (estranged if relevant)

We may collect, store, and use the following categories of personal information about you where necessary :

Your name, address, email, telephone, Date of Birth, employment details, occupation, employer name, period of time with employer, residential status, relationship status and dependents, financial data, Wage slips, Bank Statements,

Your name, address, email, telephone, financial data, Relationship with member, Occupation and Salary
[name anything outstanding]

Dependent individuals

We may collect, store, and use the following categories of personal information about you where necessary
Relationship with member, ages, reason for dependency, financial needs,

5. What is the purposes for collecting your data

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 submit Declaration of Health forms to ECCU for our member free Loan protection & Life Savings Cover. We are obliged to purchase loan protection and life savings protection from ECCU
- Conducting credit searches and making submissions to Irish Credit Bureau and the Central Credit Register.
- Administering the loan, including where necessary, to take steps to recover the loan or enforce any security taken as part of the loan.
- We collect information about the guarantor to ensure the loan can be repaid in the event of default by the member
- We collect spouses' details where relevant to assess the joint earnings to ensure the member has the means to meet the repayments
- We collect dependent individuals' expenditure needs to assess the net disposal income of the member
- We may use credit scoring techniques and other automated decision making systems to either partially or fully assess your application. When introduced we will inform you in advance.
- Meeting legal and compliance obligations and requirements under the Rules of the Credit Union.
- To comply with Central Bank Regulations to determine whether you are a connected borrower or related party borrower.
- Providing updates on our loan products and services by way of directly marketing to you.
- To manage your safety and security while you are on our premises
- To facilitate the prevention, detection and investigation of crime and the apprehension or prosecution of offenders
- To investigate, exercise or defend legal claims or other claims of a similar nature.
- Contact you for direct marketing purposes, subject to restrictions under the relevant laws, including the right to opt out of such marketing
- Provide you with information relating to the loans
- To obtain your feedback on our services
- To notify you about changes to contracted services relevant to you
- To ensure we recover any outstanding arrears which may require assistance from external agents
- To ensure we meet our Money Laundering Obligations as outlines under the Criminal Justice Act.

We may also collect, store and use "special categories" of more sensitive personal information including Information about your health, including any medical condition, health and sickness (See Insurance for further details). We may also use this "special categories" at application stage or if payment break is required.

We need all the categories of information in the list above to allow us to identify you, contact you, comply with our legal obligations 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.

6. 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.

7. 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 right. 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 as part of our data processing agreements in place with our service providers.

8. If you fail to provide personal information

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.

9. 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 information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

10. Profiling

We may use automated decision making as part of our credit decision process, to enable us to deliver decisions within a shorter time frame and to improve the efficiency of our processes. The decision process takes into account different types of information, for example: information you have provided in your application such as the amount requested, the repayment period, your income, employment details, credit history with credit reference agencies such as the Central Credit Register and details of other credit facilities you may have such as loans, overdrafts, credit cards, etc. The Credit Union uses this information to apply internal credit assessment rules in a consistent manner. This ensures that your application for credit is treated fairly, efficiently and that we believe you can afford the required repayments. We only use

automated decision making to approve loan applications. We never use automated decision making to decline loan applications.

Manual evaluations will always take place where the loan is not automatically approved. Where a loan is rejected after manual evaluation the members has the right to appeal by contacting david@naomhbrendancu.ie

11. How long will we hold your information

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 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. Please see our retention periods below.

- Credit agreements are **contracts** and as such the credit union retains them for six years from date of expiration or breach, and twelve years where the document is under seal.
- Loan applications form part of your credit agreement and as such we retain them for six years.

12. Planned data transmission to third countries

There are no plans for a data transmission to third countries.

13. 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 find an up-to-date version of this notice on our website at www.naomhbrendancu.ie or you can ask us for a copy.

14. Lawful basis, 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.

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.

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.

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 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 Privacy Notice of ILCU can be found at www.creditunion.ie

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.

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 as joint data controllers.

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 which are provided physically by you or electronically where you give authorisation to use an Account Information Services Provider (AISP). When using an AISP, we will receive your banking details directly from the AISP.

- your existing credit union file,
- credit referencing agencies such as the Irish Credit Bureau and the Central Credit Registrar

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

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.



Legal Duty

This basis is appropriate when we are processing personal data to comply with an Irish or EU Law.

Regulatory and statutory requirements: To meet our duties to the Regulator, the Central Bank of Ireland, we may allow authorised people to see our records (which may include information about you) for reporting, compliance and auditing purposes. An example of this is our legal obligation to file reports and make checks on the Central Credit Register in accordance with the Credit Reporting Act 2013. 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 of Finance, the Department of Social Protection and the Financial Services and Pensions Ombudsman Bureau of Ireland if required by law.

Purpose of the loan: We are obliged to ensure that the purpose for the loan falls into one of our categories of lending.

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 provisions of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010, as amended by Part 2 of the Criminal Justice Act 2013.

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.

Credit Reporting: Where a loan is applied for in the sum of €2,000 or more, the credit union is obliged to make an enquiry of the Central Credit Register (CCR) in respect of the borrower. Where a loan is granted in the sum of €500 or more, the credit union is obliged to report both personal details and credit details of the borrower [and guarantor shortly] to the CCR.

House Loan: Where you obtain a house loan from us, it will be necessary for the credit union to obtain a first legal charge on the property to be purchased and it will be necessary for us to process your personal data in order to register this charge or have this charge registered on our behalf.

Connected/Related Party Borrowers: We are obliged further to Central Bank Regulations to identify where borrowers are connected in order to establish whether borrowers pose a single risk. We are also obliged to establish whether a borrower is a related party when lending to them, i.e. whether they are on the Board/Management Team or a member of the Board/ Management teams family or a business in which a member of the Board /Management Team has a significant shareholding.



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 and Credit Reference Agencies:

When assessing your application for a loan, as well as the information referred to above in credit assessment, the credit union also utilises credit data from credit referencing agencies such as the Irish Credit Bureau and the Central Credit Registrar (see *Legal Duty*).

Our legitimate interest: The credit union, for its own benefit and therefore the benefit of its members, must lend responsibly and will use your credit scoring information in order to determine your suitability for the loan applied for. When using the service of a credit referencing agency we will pass them your personal details and details of your credit performance.

ICB are using **Legitimate Interests** (GDPR Article 6 (f)) as the legal basis for processing of your personal and credit information. These Legitimate Interests are promoting greater financial stability by supporting a full and accurate assessment of loan applications, aiding in the avoidance of over-indebtedness, assisting in lowering the cost of credit, complying with and supporting compliance with legal and regulatory requirements, enabling more consistent, faster decision-making in the provision of credit and assisting in fraud prevention.

Please review ICB's Fair Processing Notice which is available at <http://www.icb.ie/pdf/Fair Processing Notice.pdf>. It documents who they are, what they do, details of their Data Protection Officer, how they get the data, why they take it, what personal data they hold, what they do with it, how long they retain it, who they share it with, what entitles them to process the data (legitimate interests), what happens if your data is inaccurate and your rights i.e. right to information, right of access, right to complain, right to object, right to restrict, right to request erasure and right to request correction of your personal data.

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.

We use a private investigator in circumstances, for example we needed to locate you in the event that you fail to make repayments on your loan and or fail to make contact with the credit union.

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

Judgements Searches: We may carry out searches in Stubbs Gazette 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 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.

Account Information Services Provider: Fino run GmbH and Naomh Brendán Credit Union are two separate Data Controllers.

Our legitimate interest: Where Fino run GmbH share banking details to Naomh Brendán Credit Union it is based on legitimate interest to facilitate the online loan approval process when the member authorises Fino run GmbH to do so.



Your consent

We will only carry out processing which is based on your consent and will cease processing once you withdraw such consent

Marketing and Market Research

To help us improve and measure the quality of our products and services we undertake market research from time to time. This may include using the Irish League of Credit Unions, and/or specialist market research companies.

Account Information Services (AIS)

We generally require bank account statements to assist with the assessment of loan applications. The Revised Payment Services Directive (PSD2) provides a means by which Members can supply bank account transactions electronically, by availing of AIS. Using AIS may reduce the time taken to process loan applications.

If you consent to using AIS to supply bank account information, we will provide instructions by e-mail, including a link to the portal of an Account Information Services Provider ('AISP') that will enable you to initiate the AIS process. As a member, this is a new optional service offering to enhance the loan approval timing process which is at no extra cost.

AIS services is provided by an independent third party who is the Data Controller of the information processed.

Fino is registered as an Account Information Services Provider (AISP) with the German Federal Financial Supervisory Authority (registration reference number 10150228) and their privacy policy is available [here](#).

Your Marketing Preferences








As part of improving our service to you, from time to time, we would like to inform you of goods, services, competitions and/or promotional offers available from us. We may wish to use different means when sending such marketing communications.

You have a right to notify us free of charge at any time that you wish to refuse such marketing by writing to us at our address at the top of this document or by using the "opt-out" options in any marketing message we send you.

Please contact us directly should you wish to change or withdraw your consent.

Your Rights

The following are your rights in connection with your personal data.

	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. You also have the right to object where we are processing your personal data for direct marketing purposes.
	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. <i>Relevant personal data</i> 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 **Data Protection Commissioner** in respect of any processing of your data at

Post	Telephone	E-mail
Data Protection Commissioner Canal House Station Road Portarlinton R32 AP23 Co. Laois	+353 (0)57 868 4800 +353 (0)761 104 800 1890 252 231	info@dataprotection.ie

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 or a third party a copy your relevant personal data in a reusable format please contact our Data Protection Officer in writing using their contact details above.

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 straight away if there are any changes to your personal information. If you wish to avail of either of these rights, please contact us using our contact details at the top of this document.