

Mortgage Privacy Notice of Naomh Breandáin Credit Union Limited

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 for the purpose of facilitating 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: Dunkellin Street, Loughrea, Co. Galway

Phone: 091 841773

Email dpl@naomhbreandancu.ie

Data Protection Lead Contact [091 841773](tel:091841773)

Naomh Breandáin 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, title, date of birth, member number, gender, email, telephone number, financial data, status and history, transaction data, contract data, details of the credit union products you hold with us, signatures, identification documents, salary, occupation, employment status, dependents, outgoings and financial commitments, credit history, accommodation status, mortgage details, previous addresses, previous names, spouse, partners, Tax Identification/PPSN numbers, relationship with joint borrower, business ownership, directorships held, interactions with credit union staff and officers on the premises, by phone or email, current or past complaints, CCTV footage, telephone voice recordings, retirement age, first time buyer, pension details, residency, nationality, criminal sanctions.

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.
- Conducting credit searches and making submissions to 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 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 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.

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 and 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 where we have an appropriate legal basis and we have met a necessary precondition. Examples of when we will process special category data are as follows;

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 we are required to process it for the purpose of insurance on the loan.

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

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.

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.

You agree to notify your credit union without delay in the event of any change in your personal circumstances, to enable your credit union to comply with its obligations to keep information up to date.

Profiling

We 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.

Third Parties

The credit union utilises a third party Outsourced Service Provider, **BCM Global ASI Limited**, who carry on the business of, inter alia, servicing, administering and managing mortgage loans secured on residential properties in Ireland. This business will support the credit union in the processing, fulfilment and special servicing (arrear management) of residential mortgages based on a standardised consistent and reliable methodology and is therefore of ultimate benefit to its member.

The ILCU provide a **Home Loans Credit Union Service Organisation (CUSO)** to participating credit unions, providing support and guidance to participating credit unions

The third parties supporting the Home Loans CUSO are committed to respecting the rights of those people whose data is processed under this CUSO.

For this service Naomh Breandán **Credit Union Limited** is the data controller and BCM Global ASI Limited are a data processor for the purposes of data protection legislation. The ILCU are not party to the details of a mortgage application and have no access to the BCM Global eFO system. The ILCU receives management information from BCM Global ASI Limited that contains anonymised data.

The BCM Global privacy notice can be viewed at <https://www.bcmglobal.com/privacy-notice/>

The credit union utilises a third party valuation management solutions company, **VMS**, who provide, inter alia, valuation management services on residential properties in Ireland. This service will ensure that valuations are carried out by professional valuers and that the valuations follow mandatory valuation standards and is therefore of ultimate benefit to its members.

For this service Naomh Breandán **Credit Union Limited** is the data controller and VMS are a data processor for the purposes of data protection legislation.

The VMS privacy statement may be viewed at <https://www.vmsireland.ie/termsandconditions.html>

The credit union may utilise a third party storage solution company to ensure safe, secure storage of Title Deeds and security documents and is therefore of ultimate benefit to its members.

The credit union provides your information to insurance companies for the purpose of insuring the loan.

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 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 seven 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 seven years.

Planned data transmission to third countries

We may transfer the personal data we collect about you to Australia to perform our contract with you. However, to ensure that your personal data does receive an adequate level of protection to ensure that your personal data is treated by those third parties in a way that is consistent with and which respects the EU and UK laws on data protection, any transfer shall be made in accordance with EU approved model clauses (controller to processor).

BCM Global ASI Limited stores data on physical servers in the UK. The data in the UK is hosted and processed by BCM Global in a BCM Global-owned server. BCM Global rely on their existing Binding Corporate Rules which ensure that the same rigorous security and privacy controls that BCM Global uphold within the EEA are upheld outside the EEA.

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 maintain 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 be done 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 as an additional security for 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.

Change in personal circumstances: You agree to notify us without delay in the event of any change in your personal circumstances, to enable us to comply with our obligations to keep information up to date.

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 (by which members of the credit union are bound to the credit union) and the League Rules (by which the credit union is bound to the ILCU). 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 Stabilisation 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:

Life Savings/Loan Protection: 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.

[Repayment Protection Insurance (RPI): The credit union, when acting as an insurance intermediary, obtains your personal data including your special category data, for onward transmission to the relevant insurer. A credit union member will complete the online application with you and a statement of suitability will be provided to you, a copy of which will be retained on file by the credit union.

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 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 personal data 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, the appropriate Supervisory Authority if required under 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 (“the Act”), , the Criminal Justice (Money Laundering and Terrorist Financing) Act 2018 and the Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2021 (the latter two were introduced under the 4th and 5th AML/CTF EU Directives). This will include filing reports on the Beneficial Ownership Register and on the Bank Account Register.

Audit: To meet our legislative and regulatory duties to maintain audited financial accounts, we appoint an external and internal auditor. We will allow the internal and 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 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:

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 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.

Mortgage Lending and transfer/assignment of mortgage

When assessing your application for a mortgage loan the credit union may use the information which it obtains about you and the secured property, for the purposes of servicing the mortgage and the secured property, credit checks which may involve group reporting and management purposes, any transfers or other dealings with the secured property, the mortgage and the mortgage conditions.

The credit union may share the information it obtains when assessing your application for a mortgage loan for the said purposes and for the following:

- any (or any proposed) assignee, transferee, mortgagee, chargee ,sub-mortgagee, sub-chargee, trustee or other grantee or dispose or successor and their respective officers employees agents and advisers;
- any other person directly or indirectly participating in or promoting or underwriting or managing or auditing (or proposing to do so) any transfer, assignment disposal, mortgage, charge, sub-mortgage, sub-charge, trust securitization scheme, mortgage backed promissory note facility or other transaction or arrangement relating to or involving the mortgage and the conditions attached to the mortgage;
- agents and advisers of your credit union and
- Any other party to whom you have agreed the credit union may disclose your information, each of whom in turn may use that information for the above and other purposes which have been disclosed to you.

You agree to notify your credit union without delay in the event of any change in your personal circumstances, to enable your credit union to comply with its obligations to keep information up to date.

Personal Data from Others

Where you provide to your credit union personal data relating to individuals (which for these purposes shall include, without limitation, any employees, agents, spouses, partners and personal representatives of the persons included in the expression Mortgagor) you warrant that you are acting in accordance with the requirements of the Data Protection legislation in providing that information to your credit union for the purposes set out in your mortgage for the purposes set out in this clause and for such other purposes as have been disclosed to you by your credit union prior to you providing such personal data to your credit union.

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 the necessary steps to recover a debt to protect the assets and equity of the credit union.

Judgements Searches: We carry out searches 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, public safety and the prevention and detection of fraud]

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 and to prevent and detect fraud.

Voice Recording: We do not record phone conversations

Our Legitimate interest: To ensure a good quality of service, to assist in training, to ensure that correct instructions were given or taken due to the nature of our

business and to quickly and accurately resolves any disputes.



Your 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/ specialist market research companies. You will be afforded the opportunity to decide on whether to participate or not and on your marketing preferences when completing the application to apply for a mortgage with the credit union.

Your Rights in connection with your personal data are to:



To find out whether we hold any of your personal data and **if we do, to request access** to that data and 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 data. 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 data. 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 **Data Protection Commissioner (DPC)** in respect of any processing of your data by:

Telephone +353 57 8684800 +353 (0)761 104 800
Lo Call Number 1890 252 231
Web Form: <https://forms.dataprotection.ie/contact>

Postal Address: Data Protection Commissioner
21 Fitzwilliam Square South, Dublin 2, D02 RD28
Ireland

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 data, 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 data protection lead 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 straightaway if there are any changes to your personal data. If you wish to avail of either of these rights, please contact us at 091 841773

Document Version Control		
The table below summarises the amendments, corresponding rationale and paragraph number in the policy		
Version	Amendment/Modification	Rationale
Version 1.2 June 2021	Updated the Third Parties section to enhance the information for members on which Third Parties are supporting the credit union in the provision of Mortgages.	The purpose of this is to be more transparent regarding the third parties involved in the provision of Mortgages, particularly the ILCU who processes no personal data throughout the process.
Version 1.3 August 2021	Updating of the DPC Contact Details Inclusion of reference to the filing of records relating to the Central Credit Register (CCR), Beneficial Ownership Register (BOR) and Bank Account Register (BAR)	To reflect changes in how to contact the DPC To reflect legal obligations introduced under the Credit Reporting Act 2013 and under the Criminal Justice (Money Laundering and Terrorist Financing) Acts 2018 and 2021.
Version 1.4 November 2021	Removal of reference to the Irish Credit Bureau (ICB). Replacement of reference to Link ASI Limited with reference to BCM Global ASI Limited.	The Irish Credit Bureau (ICB) is no longer in existence and therefore credit unions no longer use them for credit assessments. BCM is the Banking & Credit Management division of Link, rebranded externally as BCMGlobal, and part of the Link Group. The company BCMGlobal ASI Limited is incorporated in Ireland and was formerly Link ASI Limited.

