

Privacy Notice of Limerick & District Credit Union Limited - Spouse/Partner information & credit check etc. for the purpose of a loan application

Limerick & District 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. **This privacy notice is so that we provide you with information regarding the processing of information about you for lending and lending related purposes under the assessment of a loan application received from your spouse/partner.**

Our contact details are:

Address: Credit Union House, Redgate, Caherdavin, Limerick V94 D362

Phone: (061) 455831

Email: info@lcu.ie

Date Protection Representative – Contact: (061) 455831 or by email at dpo@lcu.ie or at the above address

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 for the purpose of facilitating the abovementioned objectives.

What personal data do we use?

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

- Your name, member number (if relevant), address, date of birth, email, telephone number(s), financial data, status and history, credit history, transaction data; contract data, signatures, identification documents, salary, occupation, income verification, bank statements, BIC, IBAN, tax status, outgoings, accommodation status, mortgage details, property details, marital status, dependents, tax identification/PPSN number, passport details, driving license details, immigration status to include GNIB card, interactions with credit union staff and officers on the premises, by phone, or email, current or past complaints, CCTV footage, telephone voice recordings.

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:

- To assess your spouse/partner's loan application and determine their creditworthiness for a loan.
- To verify the information provided by you and/or your spouse/partner as part of your spouse/partner's loan application.
- To contact you (if deemed necessary) in respect of the information provided by you.
- To comply with our legal obligations – for example (if relevant) anti-money laundering obligations.
- To conduct credit searches on you and make submissions (as required and relevant) to the Central Credit Register
- To comply with Central Bank Regulations to determine whether you are a connected borrower or a related party.
- Where relevant - to meet legal and compliance obligations and requirements under the Credit Union's Standard Rules, the Credit Union Act 1997 (as amended) and Central Bank Regulations.

We need all the categories of information in the list above to allow us to; identify you and contact you (if deemed necessary) and in order that we assess your spouse/partner's repayment capacity/credit worthiness.

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.

We will not collect sensitive personal data about you.

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 assess your spouse/partner's loan application 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 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, provisioning and anti-money laundering purposes and compliance with our legal duties in that regard. We also carry out profiling in order to tailor our marketing to you by profiling members according to categories such as age, loan history, savings, life cycle and date of account opening.

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 Records Management Policy. Please see our data retention periods below;

Once the retention period has expired, the respective data will be permanently deleted. Please see our retention periods below.

- **Your details** (including documentation supplied) will be held for seven years following discharge, final repayment or transfer of your spouse/partner's loan.
- **Loan application and supporting information** is retained for a period of seven years from the date of discharge, final repayment or transfer of your spouse/partner's loan. **Overdraft Applications** are retained for seven years from termination of overdraft agreement. **Loan and Overdraft assessment documentation** (e.g., bank statements, payslips etc) will be retained in conjunction with the loan / overdraft application and credit agreement for the same time periods to ensure the assessment was conducted appropriately.
- If relevant - the **money laundering** provisions of anti-money laundering legislation require that certain documents must be retained for a period of five years after the relationship with the member has ended.
- **CCTV** footage which is used in the normal course of business (i.e. for security purposes) for one month
- **Telephone recordings** which are used in the normal course of business (i.e. for verifying information, clarification of instructions given, training, quality of service delivery assurance and security) are retained for three months.

Planned data transmission to third countries:

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

However, third parties who provide services to the credit union may be located in the UK or outside the EEA. To ensure that your personal data receives 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 the EU approved adequacy decisions for the EU GDPR and the Law Enforcement Directive (LED).

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

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.

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 and assess a loan application from your spouse/partner.

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 the loan application of your spouse/partner.

Third parties: We may appoint external third parties to undertake operational functions on our behalf such as sub-contractors, agents or service providers engaged by the credit union (including their employees, directors and officers), such as back-up and server hosting providers, IT software and maintenance providers, underwriting software service providers and suppliers of other back office functions. 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.

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 relation to the personal data & information and supporting documents supplied by you 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 relation to the personal data & information and supporting documents supplied by you 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

Automated Loan Decisioning: We may use automated decision making as part of our loan/credit decision process, and which involves assessing your application for a loan, taking account of your current circumstances and evaluating your ability to meet the required repayments on the loan. The automated decision process involves different types of information, such as information included in your loan application – as to the amount requested, the repayment period, your income, employment details, other loans or overdrafts etc. – as well as information provided to us with your explicit consent as to any account(s) held by you with any other financial institution, and your credit history with the Central Credit Register. The Credit Union uses this information to apply internal credit assessment rules in a consistent manner, and ensures that your application for a loan is treated fairly and efficiently and what is believed to be consistent with your repayment capacity.

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

- your spouse/partner's loan application and assessment supporting documentation, including details of your personal data & information and supporting documentation (including details of your income and debts, payslips, bank statements and outgoings etc.).
- your existing credit union file (if relevant),
- Credit referencing agencies (as required and relevant)

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



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. For the same reason, we will also hold the information about you when your spouse/partner's loan has been repaid. We may also share personal data with certain statutory bodies such as the Department of Finance, the Department of Social Protection, The Data Protection Commissioner and the Financial Services and Pensions Ombudsman Bureau of Ireland, the appropriate Supervisory Authority if required under law.

Compliance with our anti-money laundering and combating terrorist financing obligations: If relevant - 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") and the Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018 and 2021. This will include filing reports on the Beneficial Ownership Register, the Beneficial Ownership Register for Certain Financial Vehicles ("CFV"), on the Bank Account Register, the European Union Cross-Border Payments Reporting ("CESOP"), the Central Register of Beneficial Ownership of Trusts ("CRBOT") and the Ireland Safe Deposit Box and Bank Account Register (ISBAR). This reporting obligations requires the credit union to submit certain member data to the relevant authority administering the registers, such as the Central Bank of Ireland or the Revenue Commissioners. For further information, please contact the credit union directly.

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 [and guarantor shortly] to the CCR.

Data we provide to the Central Credit Register (CCR) in respect of your loan will now be shared with the Central Statistics Office (CSO). (The Statistics Act 1993 provides that the CSO may obtain information from public bodies including the Central Bank). Personal data held on the Central Credit Register includes your name, date of birth, address, gender, telephone number and personal public service number (PPSN). Your PPSN, Eircode and contact telephone number is not transferred to the CSO. The Central Bank is the data controller for the Central Credit Register and the obligations of the GDPR and general and data protection law apply to them.

The Central Statistics Office, (CSO) is the data controller for the information when it is transferred to them and the obligations of the GDPR and Data Protection law apply then to the CSO. Please refer to the www.centralcreditregister.ie for more information. More information in relation to the CSO is available at www.cso.ie

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.

Judgements Searches: We may carry out searches in Stubbs Gazette and/or Search for Less in order to assess your credit worthiness as part of the assessment of your spouse/partner's loan application.

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 history in order to determine your spouse/partner's suitability for the loan applied for. In carrying out such a search we can better determine your overall financial position as part of the assessment of your spouse/partner's loan application.

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 record phone conversations both incoming and outgoing for the purpose of verifying information and quality of service, clarification of instructions, training, assurance and security purposes.

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.

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 may use a private investigator in order 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



Your consent

No use of Cookies

Limerick and District Credit Unions website and online platform do not use cookies to collect or store any personal data. We are committed to protecting your privacy and ensuring a secure browsing experience.

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, you have a right 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 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). Please note that we may be unable to continue to provide credit union services to you or complete the assessment of your spouse/partner's loan application, in the event of the erasure of your personal data.



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. Please note that we may be unable to continue to provide credit union services to you or complete the assessment of your spouse/partner's loan application, in the event of the restriction of the processing of your personal data.



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**. Please note that we may be unable to continue to provide credit union services to you or complete the assessment of your spouse/partner's loan application, in the event of the withdrawal of the consent to the processing of your personal data.



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 (0)1 765 0100 / 1800 437 737 E-mail info@dataprotection.ie Web: https://forms.dataprotection.ie/contact	Address: Data Protection Commission 21 Fitzwilliam Square South Dublin 2 D02 RD28
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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 of your relevant personal data in a reusable format, please contact the Data Protection Representative in writing using the 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.

