

Mortgages and Loans Privacy policy

Effective from October 2018

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1. Our privacy policy

We take our obligations under data protection law very seriously and we're committed to keeping your personal data private and secure. This policy is designed to help you understand what personal data we hold, why it is required, and how it is used.

2. About us

In this privacy policy, the terms "we", "our", and "us" are used to refer to the company you have contacted about a mortgage or loan product. This is one of the following: Kent Reliance, Kent Reliance Property Loans, Reliance Property Loans, Prestige Finance Limited, Heritable Development Finance Limited, InterBay Funding Limited, InterBay Asset Finance Limited, InterBay ML Limited, 5D Finance Limited, Rochester Mortgages Limited, Jersey Home Loans Limited or Guernsey Home Loans Limited. Each of these is a trading name, subsidiary or part-owned by OneSavings Bank Plc (Company Number 7312896), a company registered in England and Wales and whose registered office is Reliance House, Sun Pier, Chatham, Kent ME4 4ET. OneSavings Bank Plc is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority (registered number 530504). We subscribe to the Financial Services Compensation Scheme and the Financial Ombudsman Service.

We respect your right to privacy. If you have any questions about how we use your information, then please write to: Group Data Protection Officer, OneSavings Bank Plc, Reliance House, Sun Pier, Chatham, Kent ME4 4ET. Alternatively, you can email us at: dataprotection@osb.co.uk

Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

3. What personal data do we use?

We use, or process, a number of different categories of personal data. These include:

- **Information you give us** – this is information about you that you give us by filling in an application form or by corresponding with us by phone, face-to-face, e-mail or otherwise when you apply for a mortgage or a loan with us. The information that you give us may include your name (including any previous names), date of birth, marital status, financial and bank account details, contact details, current and previous address, employment details (including salary and estimated retirement age), nationality, citizenship, residency status, diplomatic status, financial history, any legal judgements or criminal convictions, tax identification number, national insurance number and details of your dependants (including children under the age of 17). Other information you give us may include feedback regarding our services or our sites and responses to surveys and/or market research (although you do not have to respond to such surveys or requests). We may also collect and process records of any correspondence and communications with us and telephone calls may also be recorded. Where you provide information about others (for example, for joint applications) you must ensure that you have their consent or are otherwise entitled to provide this information to us.
- **Information we collect about you when you use our services online** – we may automatically collect the following information:
 - » technical information, including the Internet protocol (IP) address used to connect your computer to the Internet, MAC addresses, traffic data, location data, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform and cookies, which will be collected in accordance with our cookies policy which can be found on the relevant company website;

- » information about your visit, including the full Uniform Resource Locators (URL) clickstream to, through and from our site (including date and time), services you viewed or searched for, your conduct via the site and (where relevant) details of the fulfilment of any of your orders, and any other site activity, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page and any phone number used to call us; and
- » the way you use your account(s), including information about payments you make or receive, such as the date, amount, currency and the details of the payee or payer (for example, retailers or other individuals).

- **Information we receive from other sources** – in order to process your application and comply with our regulatory obligations, we will perform credit and identity checks on you with one or more credit reference agencies ("CRAs") and fraud prevention agencies ("FPAs"). Where you take a mortgage or loan product from us, we may also make periodic searches at CRAs and FPAs to manage your account with us. To do this, we will supply your personal information to CRAs and FPAs and they will give us information about you. This will include information from your credit application and about your financial situation and financial history. CRAs and FPAs will supply to us both public (including the electoral register) and shared credit, financial situation and financial history information and fraud prevention information.

4. What do we use personal data for?

We use information held about you in the following ways:

- to help us to provide the products and services you apply for (e.g. for verification purposes, mortgage or loan management);
- to carry out our obligations arising from any agreements entered into between you and us;
- to deal with your enquiries and requests (e.g. complaints handling);
- to analyse, assess and improve the popularity and viability of our products as well as to identify potential customers of new products;
- to tell you about products and services (including those of others) that may be of interest to you;
- to verify the accuracy of the data you have provided to us;
- to assess your creditworthiness and whether you can afford to take the product;
- to prevent and detect fraud, money laundering and other crime (such as identity theft);
- for tracing and debt recovery purposes;
- for statistical analysis and analytics; and
- to carry out regulatory checks and meet our obligations to our regulators.

5. What are our legal grounds for holding personal data?

Data protection laws require that we meet certain conditions before we are allowed to use your data in the manner described in this privacy policy. We take our responsibilities under data protection laws extremely seriously, including meeting these conditions. We rely on the following legal grounds in order to process your data:

- **Processing of your data is necessary for the performance of a contract to which you are party to or to take steps at your request prior to entering into a contract**
When you open an account with us, you enter into a legal contract under which we provide mortgages or loans to you. We require certain personal data in order to establish a contractual relationship. For example, you provide information about yourself in application forms, without which we would be unable to identify you or verify your suitability for the services requested.

- **Processing of your data is necessary for compliance with a legal obligation which we are subject to**

We are required to process certain personal data in order to comply with our legal and regulatory obligations including UK anti-money laundering regulations and for the purposes of ongoing fraud detection and reporting.

- **We have obtained your consent**

We may process certain information where you have provided your explicit consent for us to do so. For example, you may provide us with sensitive information (such as informing us about a criminal conviction) where this is necessary for an application.

Where we do rely on your consent in order to legally use your information in accordance with applicable data protection law you may withdraw this consent at any time.

We may also provide you with certain marketing information about third party services or products where you have provided your explicit consent for us to do so. Please note that we will use your personal information in order to provide certain marketing information for the same or similar services you have previously used. You can ask us to stop or start sending you marketing messages at any time by contacting us.

- **Processing your data is necessary to protect your vital interests or the vital interests of another person.**

In exceptional circumstances we may also process information such as your health data where this is essential to protect you or another person and where you are physically and legally incapable of providing consent.

- **Processing of your data is necessary for the purposes of the legitimate interests pursued by us or by a third party, except where such interests are outweighed by your interests, fundamental rights and freedoms**

Personal data is processed to help us manage our business and to analyse, assess and improve the viability and popularity of our products. It is also processed for the establishment and defence of legal rights.

Personal data is shared with external CRAs and FPAs. The legitimate interests being pursued are:

- Promoting responsible lending and helping to prevent over-indebtedness**

“Responsible lending” means that lenders only sell products that are affordable and suitable for the borrowers’ circumstances. CRAs assist lenders to check that financial products are suitable, by providing personal data about potential borrowers, their financial associates where applicable, and their financial history.

- Helping prevent and detect crime and fraud and anti-money laundering services and verify identity**

CRAs and FPAs help lenders to comply with their legal and regulatory obligations by providing identity, fraud detection / prevention and anti-money laundering services.

If we, or FPAs, determine that you pose a fraud or money laundering risk, we may refuse to provide the services and financing you have requested, or we may stop providing existing services to you. A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you.

- Supporting tracing and collections**

CRAs provide services that support tracing and collections to recover debt, to reunite, or confirm an asset is connected with, the right person.

We will continue to exchange information about you with CRAs while you have a relationship with us. We will also inform the CRAs about your settled accounts. If you borrow and do not repay in full and on time, CRAs will record the outstanding debt. This information may be supplied to other organisations by CRAs.

When CRAs receive a search from us they will place a search footprint on your credit file that may be seen by other lenders.

If you are making a joint application, or tell us that you have a spouse or financial associate, we will link your records together, so you should make sure you discuss this with them, and share with them this information, before lodging the application. CRAs will also link your records together and these links will remain on your and their files until such time as you or your partner successfully files for a disassociation with the CRAs to break that link.

The identities of the CRAs, their role also as fraud prevention agencies, the data they hold, the ways in which they use and share personal information, data retention periods and your data protection rights with the CRAs are explained in more detail from each of the three CRAs – any of these three addresses will also take you to the same CRAIN document:

Experian: www.experian.co.uk/crain

Equifax: www.equifax.co.uk/crain

Callcredit: www.callcredit.co.uk/crain

You should be aware that if you do not meet the obligations of any agreement with OneSavings Bank plc, the availability of this information to credit reference agencies and therefore to other lenders may have a serious effect on your ability to obtain credit in the future.

6. Who do we share personal data with?

We may share your personal information with related entities and affiliates, which means One Savings Bank Plc’s subsidiaries, and its ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006.

We will only disclose your information to:

- business partners, suppliers and sub-contractors for the performance of any contract we enter into with them or you;
- our affiliates and selected third parties, where you have consented to receiving marketing from us/third parties;
- third party suppliers and service providers to the extent they assist us with our legal / regulatory obligations e.g. providers of services in respect of anti-money laundering, fraud, verification, etc.;
- selected third parties so that they can contact you with details of the services that they provide, where you have expressly opted-in/consented to the disclosure of your personal data for these purposes;
- providers of analytics that assist us in the improvement and optimisation of our services;
- our regulators, law enforcement, credit reference agencies or fraud prevention agencies, as well as our legal advisors, courts any other authorised bodies, for the purposes of investigating any actual or suspected criminal activity or other regulatory or legal matters etc.

We may disclose your personal information to third parties:

- in the event that you require us to;
- in the event that we consider selling or buying any business or assets, in which case we will disclose your personal data to any prospective sellers or buyers of such business or assets;
- in the event of any insolvency situation (e.g. the administration or liquidation) of One Savings Bank plc or any of its group entities;
- if we, or substantially all of our assets, are acquired by a third party, in which case personal data held by us about our customers will be one of the transferred assets;
- in order to enforce or apply our website or service terms;
- to protect the rights, property, or safety of us, our staff, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of staff and customer safety, crime prevention, fraud protection and credit risk reduction; and
- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation or regulatory requirements, or otherwise for the prevention or detection of fraud or crime.

7. Where is personal data stored and sent?

All information which you provide to us is stored on our secure servers, and our customer databases are stored in the UK.

The data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area (the “EEA”). In particular, we have an operations centre in India and we engage third parties that may process personal data outside of the EEA. Your personal may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. This includes staff engaged in, among other things, the processing of your payment details and the provision of support services. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy.

In particular, when we send personal data overseas, we will make sure suitable safeguards are in place, in accordance with European data protection requirements, to protect the data. In all cases these safeguards will be one of the following:

- Sending the data to a country that’s been approved by the European authorities as having a suitably high standard of data protection law.
- Putting in place a contract with the recipient containing terms approved by the European authorities as providing a suitable level of protection.
- Sending the data to an organisation which is a member of a scheme that’s been approved by the European authorities as providing a suitable level of protection. One example is the “Privacy Shield” scheme agreed between the European and US authorities.

More information on these safeguards can be found here: https://ec.europa.eu/info/law/law-topic/data-protection_en

Whenever FPAs transfer your personal data outside of the EEA, they impose contractual obligations on the recipients of that data to protect your personal data to the standard required in the EEA. They may also require the recipient to subscribe to ‘international frameworks’ intended to enable secure data sharing.

How long is personal data kept for?

We will retain information about you for the period necessary to fulfil the purposes for which the information was collected. After that, we will delete it. The retention period may vary depending on the purposes for which the information was collected.

Where a specific legal or regulatory requirement applies to your information we will retain it for the period of time specified in such legal or regulatory requirement. In the absence of a specific legal or regulatory requirement we will retain your information for either six or twelve years following the end of the loan or mortgage to which it relates. Whether the period is six or twelve years will depend on whether your loan or mortgage was provided on the basis of a simple contract or a deed. We may be required to extend the retention period if the information is required due a complaint or because it is required for litigation.

Please also note that we are sometimes legally obliged to retain the information, for example, for tax and accounting purposes.

8. Your rights

You have a number of rights under data protection law in relation to the way we process your personal data. These are set out below. You may contact us using the details on our site (or by contacting our DPO directly – details below) to exercise any of these rights, and we will respond to any request received from you within one month from the date of the request.

Please address any questions, comments and requests regarding our data processing practices to our Data Protection Officer in the first instance. Our DPO can be contacted at Group Data Protection Officer, OneSavings Bank Plc, Reliance House, Sun Pier, Chatham, Kent ME4 4ET, or by email at dataprotection@osb.co.uk.

Number	Description of right
Right 1	A right to access personal data held by us about you.
Right 2	A right to require us to rectify any inaccurate personal data held by us about you.
Right 3	A right to require us to erase personal data held by us about you. This right will only apply where (for example): we no longer need to use the personal data to achieve the purpose we collected it for; or where you withdraw your consent if we are using your personal data based on your consent; or where you object to the way we process your data (in line with Right 6 below). This right is available from 25 May 2018 onwards.
Right 4	In certain circumstances, a right to restrict our processing of personal data held by us about you. This right will only apply where (for example): you dispute the accuracy of the personal data held by us; or where you would have the right to require us to erase the personal data but would prefer that our processing is restricted instead; or where we no longer need to use the personal data to achieve the purpose we collected it for, but you require the data for the purposes of dealing with legal claims. This right is available from 25 May 2018 onwards.
Right 5	In certain circumstances, a right to receive personal data, which you have provided to us, in a structured, commonly used and machine readable format. You also have the right to require us to transfer this personal data to another organisation, at your request. This right is available from 25 May 2018 onwards.
Right 6	A right to object to our processing of personal data held by us about you (including for the purposes of sending marketing materials to you).
Right 7	A right to withdraw your consent, where we are relying on it to use your personal data (for example, to provide you with marketing information about our services or products).

If you have any concerns regarding our processing of your personal data, or are not satisfied with our handling of any request by you in relation to your rights, you also have the right to make a complaint to the Information Commissioner’s Office. Their address is:

First Contact Team
Information Commissioner’s Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

9. Secure online services

We use appropriate technical and organisational measures to protect the information we collect and process about you and our online services are provided using secure servers. We use Secure Sockets Layer (SSL) software to encrypt information, in order to protect your security.

We regularly review our systems and process to ensure our online services are provided using secure servers, however, no Internet transmission can ever be guaranteed 100% secure. We recommend that you install, use and maintain up-to-date anti-virus, firewall and anti-spyware software on your computer to better protect yourself.

You must ensure that you log out of your account at the end of an online session and never leave your computer unattended when logged in.

10. Use of cookies

Cookies are small text files that web servers can store on your computer's hard drive when you visit a website. They allow the server to recognise you when you revisit the website and to tailor your web browsing experience to your specific needs and interests.

For more information on our use of cookies, please see the Cookies Policy which can be found on each website.

11. Links to third party sites

Our site may, from time to time, contain links to and from third party websites. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

12. Changes to our privacy policy

We may update this privacy policy from time to time. Any changes we may make in the future will be posted on our websites and we recommend that you revisit the Privacy Policy page from time to time to stay informed about how we use your information.

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For customer service and training purposes, calls with Heritable may be monitored and/or recorded.

Heritable Development Finance Limited is a company registered in England and Wales (company number 08606584), whose registered office is Reliance House, Sun Pier, Chatham, Kent ME4 4ET. Heritable Development Finance is part of the OneSavings Bank plc group. OneSavings Bank plc is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority (registered no. 530504).