



# Lending

*Privacy Notice of Desmond Credit Union Ltd*



*We like saying YES!*

A credit union is a member-owned financial cooperative, democratically controlled by its members, and operated for the purpose of promoting thrift, providing credit at competitive rates, and providing other financial services to its members. Data collection, processing and use are conducted solely for the purpose of carrying out the abovementioned objectives.

This Privacy Notice is to provide you with information regarding the processing of information about you for account related purposes and other general purposes. If you apply for a loan with us, you will be provided with our Lending Privacy Notice to take account of further processing that may be necessary.

## Our contact details are:

**Address:** North Quay, Newcastle West, Co. Limerick

**Phone:** (069) 62700 | **Email:** [info@desmondcu.ie](mailto:info@desmondcu.ie) | **Website:** [www.desmondcu.ie](http://www.desmondcu.ie)

The Data Protection Officer for Desmond Credit Union Ltd can be contacted on 069 62700 or by email at [dpo@desmondcu.ie](mailto:dpo@desmondcu.ie) or at the above address.

Desmond Credit Union is committed to protecting the privacy and security of your personal information. 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, eircode, member number, marital status, dependents, date of birth, email, telephone number(s), mobile number, gender, credit control status, financial data, status and history, transaction data; contract data, details of the credit union products you hold with us, signatures, identification documents, salary, income verification, outgoings, occupation, employment status, accommodation status, mortgage details, credit card statements, personal bank statements, salary cert, lending history, savings held elsewhere, previous addresses, family home declaration, spouse details, partner details, spouse/partner income details, nomination details, Tax Identification/PPS numbers, passport details, driver license details, tax residency, interactions with credit union staff and officers on the premises, by phone, or email, current or past complaints, CCTV footage*

## 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 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 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.*
- » *We pay provide updates on our loan products and services by way of direct 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 in the following circumstances:

- » *In limited circumstances, with your explicit written consent.*
- » *Where we need to carry out our legal obligations and in line with our data protection policy.*
- » *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.

## **Automated decision making**

The credit union does not use any form of automated decision making at this time. This means that no decision is made about you based solely on automated processing with no human interaction.



## 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 those regards.

## Standing order, direct debit, pay deduction and disbursement instructions

If you set up a direct debit with the credit union, the form will be retained in the credit union. To facilitate standing orders, direct debits and pay deductions, we must share the relevant information with third parties such as payment providers (BNP Paribas) and banks.

You may set up a pay deduction, standing order, direct debit to pay a credit union account which is not your own. You may also disburse part or all of your own direct debit, standing order or pay deduction to an account which is not your own. However, should you choose to do this, under the Data Protection Acts, Desmond Credit Union cannot provide you with the balance, transaction history or any other personal information on that account, under any circumstances. There may be cases where we can disclose some information to you, such as if you are guaranteeing a loan on that account.

## Information provided to us by you about others or others about you

There may be instances where you provide us with someone else's personal data or they provide us with yours. Where this occurs, it is important that you seek their approval to disclose their personal data and likewise, they seek yours. We may add it to any personal information we already hold and we will use it in the ways described in this privacy notice.

## 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.

## If you fail to provide personal data

You can choose not to share information with us, however by doing so may limit the services we are able to provide to you. If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you or we may be prevented from complying with our legal obligations.



## Change of purpose

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

## 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.

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

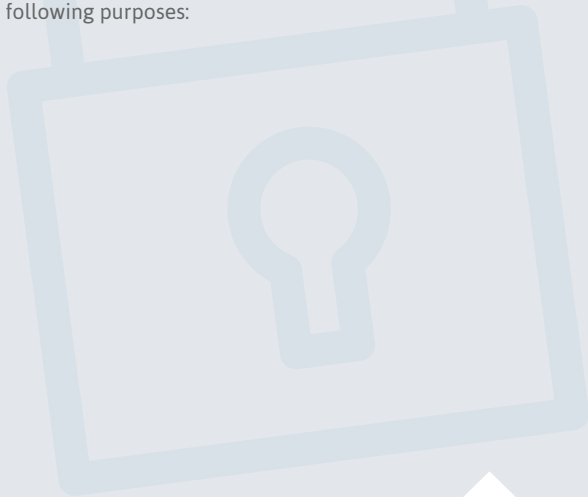
- » *Credit agreements are contracts and as such the credit union retains them for six years from date of expiration or breach, and twelve years where the document is under seal.*
- » *Loan applications form part of your credit agreement and as such we retain them for six years.*

## Planned data transmission to third countries

This credit union does not currently and does not anticipate any transmission of personal data to third countries. Should this change, we will inform you of the safeguards used to allow for such processing.

## 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:



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### 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.

## 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.

**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

**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.

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

**The ILCU Savings Protection Scheme (SPS):** We may disclose information in any application from you or in respect of any account or transaction of yours from the date of your original membership to authorised officers or employees of the ILCU for the purpose of the ILCU providing these services and fulfilling requirements under our affiliation to the ILCU, and the SPS. The Privacy Notice of ILCU can be found at [www.creditunion.ie](http://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 works together with BNP Paribas who provides an electronic payments service platform for the credit union movement in Ireland.

**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.

## 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 these purposes.

## 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 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"),

**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.

**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. Therefore, if you are financially linked to another person who has an existing loan with us or is currently in the process of applying for a loan from us, for example, your spouse, your dependent's or others within your household, we may form a financial association between your accounts. This link will include any previous, successive or variant names used by you, for example joint accounts or where you are guaranteeing the debt of another or they are guaranteeing your debt. This means that we may consider your financial affairs as affecting each other in our assessment of your loan. This association will continue until such time that the link between the accounts has ended. Any associations made will be clear in our loan assessments. 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.

## 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 these purposes.

## 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 Register[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.

Irish Credit Bureau 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](http://www.icb.ie/pdf/Fair%20Processing%20Notice.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.

**Credit Control/Debt Recovery:** If your account falls into arrears, the credit union will contact you to notify you. While we make every effort to assist you and would prefer to handle your account internally, there may be cases where we will have no choice but to use the service of a debt collection agency, solicitors or other third parties to recover the debt. We will share with them, the details of the loan application in order for them to make contact with you and details of the indebtedness in order that they recover the outstanding amounts. We may use tracing agents 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. Your account will only be referred to a tracing agency where all other attempts to contact you have been unsuccessful. In certain circumstances, legal action may be taken against you in relation to your account and your details will be disclosed to our solicitors for our legal defence.

**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



## 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 these purposes.

## Your Consent

Your consent must be freely given, informed and not conditional on any other service. You have the right to withdraw your consent, free of charge, at any time by contacting the credit union.



**Marketing and Market Research:** When applying for a loan of the credit union, we do ask for your preferences in relation to direct marketing. 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. See section on Your Marketing Preferences.

If you had previously consented to us using your personal information for marketing purposes and would like to withdraw such consent, you will be able to do so by clicking “unsubscribe” option at the end of any marketing email sent to you or by following instructions to “unsubscribe” on any text message sent for marketing purposes. Alternatively, you could email us at [dpo@desmondcu.ie](mailto:dpo@desmondcu.ie) to withdraw your consent or change your preferences.

**Transferring to another Credit Union:** Desmond Credit Union may assist you in transferring your account to another Credit Union. If you request us to do this, we will require your consent to transfer your personal data to the other credit union. For this transfer to take place you will usually be required to open an account in the other Credit Union first, we will then transfer your account history to the relevant credit union on your behalf.

**Cookies:** We may collect information about your computer, including where available your IP address, operating system and browser type, for system administration, to help us provide a better service, to record session information and/or to assist you in browsing the website. This may in some instances only be statistical data about how you browse our website. For more information on Cookies please see our Cookies Policy on our website.



## Exercising your Rights

If you wish to exercise any of the below rights, you can download the “Rights Request Form” from <https://desmondcu.ie/forms> or request a copy from our office. This form has a guidance document attached which will assist you in completing your request. You can send your request by post, email or by handing it into our office. All requests should be addressed to the Data Protection Officer. Please note we may need to verify the identity of the person making the request, in which case we may ask you to provide us with a copy of your photo ID and proof of address before we can complete the request.

## Complaints

Desmond Credit Union endeavours to meet the highest standards when collecting, using, storing and destroying your personal information. We urge you to notify us if you think that our processing activities are unfair, misleading or inappropriate. We also welcome any suggestions for improving our procedures. This **Lending Privacy Notice** aims to provide you with comprehensive detail of all aspects of our data processing; however we are happy to provide any additional information that may be necessary. All complaints, queries or suggestions should be addressed to:

**The Data Protection Officer, Desmond Credit Union Limited**  
**North Quay, Newcastle West, Co. Limerick**

**Telephone:** (069) 62700 | **Email:** [dpo@desmondcu.ie](mailto:dpo@desmondcu.ie)

## Breach Notification

In the unlikely event that the credit union suffers a data breach, we have an appropriate response plan in place. If your personal data has been breached and is likely to result in a high risk to your rights and freedoms, we will notify you without undue delay. We will also notify the Data Protection Commissioner within 72 hours of becoming aware of the breach. An incident report will be carried out on each breach that occurs to analyse the effects of the breach, why the breach occurred and how we can prevent it happening again. If you have any concerns regarding data breaches in the credit union or would like to report a data breach to us, you can do so by contacting the Data Protection Officer (details above).

**If you are in receipt of information that does not concern you, please do not destroy the information but return it to our office as soon as possible.**

## Contact us

Questions, comments and requests regarding this **Lending Privacy Notice** are welcomed and should be address to the Data Protection Officer.

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 | **Email:** [info@dataprotection.ie](mailto:info@dataprotection.ie)

**Postal Address:** Data Protection Commissioner , Canal House Station Road, Portarlington,  
R32 AP23, Co. Laois



## Your Rights in connection with your personal data are to:

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

**To find out** whether we hold any of your personal data and if we do, to request access to that data or to be furnished with 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. 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.

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 below.

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

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

**Ensuring our information is up to date and accurate** We want the service provided by us to meet your expectations at all times. Please help us by telling us straightaway if there are any changes to your personal information. If you wish to avail of either of these rights, please contact us at [dpo@desmondcu.ie](mailto:dpo@desmondcu.ie)