

Mortgage Privacy Notice

The purpose of this notice is to provide you with information around the use of your data for mortgage lending and administration purposes.

Gurrabraher Credit Union is committed to protecting the privacy and security of your personal data. This privacy notice describes how we collect, process and retain your personal data.

What personal data do we use?

We will collect, store, and use some or all of the following categories of personal data about you:

- Your name, address, title, date of birth, member number, gender, email, telephone number, residency, nationality, 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 details, partner details, Tax Identification/PPSN numbers, relationship with joint borrower, business ownership, directorships held, retirement age, first time buyer, pension details, criminal sanctions, interactions with credit union staff and officers on the premises, by phone or email, current or past complaints, CCTV footage, telephone voice recordings.

We may also collect, store and use the following “special categories” of more sensitive personal data including:

- Information about your health, including any medical condition, health and sickness

The purposes for which we use your personal data:

We will use your personal data to assist it in carrying out the following:

- Assessing your mortgage application and determining your creditworthiness.
- Verifying the information provided by you in the application.
- To purchase mortgage protection and life savings protection from ECCU (where relevant).
- Conducting credit searches and making submissions to the Central Credit Register.
- Administering the mortgage, including where necessary, to take steps to recover the mortgage or enforce any security taken as part of the mortgage.
- We may use credit scoring techniques and other automated decision-making systems to either partially or fully assess your application.

- To meet all legal and regulatory requirements under current legislation.
- 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.
- To comply with our obligations under the Criminal Justice Act 2018
- Providing updates on our products and services by way of directly marketing to you.

We will use certain “special categories” of data as follows:

- To administer life insurance details in connection with your mortgage application

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.
- 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.

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.

What is our lawful basis for processing your data?

PERFORMANCE OF A CONTRACT

This basis is appropriate where the processing is necessary for us to carry out a contract or take steps prior to entering into a contract.

Application Process: We will use the information provided by you for the purpose of assessing and processing your mortgage application and to process a credit assessment when you apply for a mortgage.

Administrative Purposes: We will use the information provided by you to maintain and administer your mortgage account and to perform any part of a contract as per the Terms and Conditions outlined to our members in any such process.

Security: In order to secure repayment of the mortgage, it may be necessary to obtain security such as a charge on your property or other personal assets.

Third parties: As part of the mortgage process, external third parties 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.

COMPLIANCE WITH A LEGAL OBLIGATION

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 are obliged to permit access to 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 in line with our legal obligations to retain data for specified periods. 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 Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018.

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: For all mortgage applications, we are obliged to make an enquiry of the Central Credit Register (CCR) in respect of the borrower. Where a mortgage is granted, we are obliged to report both personal details and credit details of the borrower to the CCR.

Legal Charge: Where you obtain a mortgage from us, it will be necessary for the credit union to first obtain a 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: Under Central Bank Regulations we must 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 team's family or a business in which a member of the Board /Management Team has a significant shareholding.

LEGITIMATE INTERESTS

A legitimate interest is when we have a business or commercial reason to use your information. But even then, it must not unfairly go against what is right and best for you. If we rely on our legitimate interest, we will tell you what that is.

Credit Assessment and Credit Reference Agencies: When assessing your application for a loan, as well as the information referred to above in credit assessment, the credit union also utilises credit data from the Central Credit Registrar.

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 mortgage applied for. When using the service of a credit referencing agency, we will pass them your personal details and details of your credit performance.

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 mortgage applied for. In carrying out such a search we can better determine your overall financial position in order to lend to you.

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.

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 mortgage applied for. In carrying out such a search we can better determine your overall financial position in order to lend to you.

Debt Collection: Where you breach the mortgage 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 mortgage 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.

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 for the purpose of verifying information and quality of service.

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.

CONSENT

In certain cases, we will require your consent to process your personal information.

Marketing: We may issue communications to members from time to time if they consent to receiving these communications. Members can opt-out at any time.

‘Sensitive category data’: In certain instances where we collect personal information from you that is deemed a ‘sensitive category’ of data under data protection legislation, we will look for your explicit consent unless a derogation exists.

Principles relating to processing of personal data

Data protection legislation specifies the underlying principles that we must comply with when processing your personal data. These are that personal data must be:

- collected and processed lawfully, fairly and in a transparent manner in relation to the data subject (**'lawfulness, fairness and transparency'**),
- Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (**'purpose limitation'**),
- data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (**'data minimisation'**),
- Personal data shall be accurate and, where necessary, kept up to date (**'accuracy'**),
- Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed (**'storage limitation'**),

- data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('**integrity and confidentiality**'),

Gurranabraher Credit Union shall be responsible for, and be able to demonstrate compliance with, the above listed principles ('**accountability**').

You agree to notify us 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.

Data Sharing with Third Parties

In order to provide mortgage services to our members, we must share your personal information with certain third parties. In all cases where we share personal data, this is done so under contract and any such parties are bound by a duty of confidentiality. These are as follows:

- We engage a solicitor's firm to assist us with our mortgage processing. All data is shared securely and all staff in both the credit union and the solicitor's firm are bound by a duty of confidentiality. Our solicitors are governed by the Law Society of Ireland.
- The credit union provides your information to insurance companies for the purpose of insuring the loan.
- We engage certain professional service providers such as IT, legal, insurers and other business advisors.
- With official bodies including, but limited to:
 - the Irish League of Credit Unions (ILCU) under the ILCU Standard Rules and the League Rules which govern the operation of Credit Unions,
 - ECCU Assurance DAC who provide Loan Protection and personal data must be shared in order to administer claims or deal with insurance underwriting,
 - The Central Credit Register who provide financial institutions with credit details relating to a member's eligibility for a mortgage,
 - The Central Bank of Ireland enforce certain reporting, compliance and auditing on Credit Unions. 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,
 - Government Departments such as Department of Finance and the Department of Social Protection may require the Credit Union to share certain personal information in order to meet legislative and regulatory requirements,

- The Revenue Commissioners impose certain reporting obligations on Credit Unions under the Common Reporting Standards in relation to tax residency and the in respect of dividend or interest payments to members.

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 and their obligation under data protection legislation. 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. The recipient of the information will also be bound by confidentiality obligations.

We only use third-parties with whom we have a binding contract and this contract contains specific clauses in relation to protecting your personal data, these include:

Confirmation that the third-party agrees that:

- All personal data received from us shall be stored securely.
- Appropriate technical and organisational measures are in place to protect the data it stores and processes.
- Data shall only be accessed by authorised personnel who are bound by a duty of confidentiality.
- The data will not be shared with any unauthorised outside third parties.
- No sub-processors shall be engaged to process the data without us being notified in advance and giving our consent.
- It will only process data as per our instructions and for specific purposes outlined in our agreement.
- In the event of an incident occurring that has a material impact on the data, it shall notify us immediately upon becoming aware. It shall, at all times, cooperate with us with regard to such incidents.
- Upon completion of the specific processing instructed by the Data Controller, specific retention periods apply that must be complied with.
- At our request by, it shall make available all information required to demonstrate compliance with its obligations under data protection legislation.

Data transfers to third countries

During the provision of our mortgage services, we do not transfer data outside of the EEA. Should this change in the future, we will publish an updated Privacy Notice on our

website so we advise all mortgage applicants to regularly visit our website for the most up to date information.

Your rights

You have a number of rights regarding the processing of your personal information. Below is a list of these rights and how we respect these rights when processing your data in connection with a mortgage application and throughout the period of your relationship with our credit union.

We wish to point out that these rights are not absolute and certain limitation and exceptions apply in some cases.

RIGHT	DETAILS	OUR COMPLIANCE
The right to be informed	You have the right to receive full details in relation to the processing of your data	In all cases where we collect personal information, we make available to individuals' transparent information regarding how and why we process their data
The right of access	You have the right to obtain from us confirmation as to whether we process your data, and if we do, you have the right to obtain details on what data we process and why	Should you require it, we will provide full details on what data we process about you and why and supply copies of any data requested unless restrictions or exemptions apply
The right to rectification	You have the right to have any data inaccurate corrected	At your request, we will correct any inaccurate data without undue delay
The right to erasure	In certain cases, you have the right to have your data erased	Where there is a legitimate basis, we will erase any personal data relating to you at your request
The right to restrict processing	In certain cases, you have the right to restrict the processing of your data	In certain cases, you have the right to restrict the processing of your data Where there is a legitimate basis, we will restrict the processing of your data at your request

The right to data portability	In certain cases, you have the right to port your data to another data controller	Where the right legitimately applies, we will port your data to another controller at your request
The right to object	In certain cases, you have the right to object to the processing of your data	Where there is a legitimate basis, we will comply with your objection to the continued processing of your data
Rights in relation to automated decision making and profiling	In certain cases, you have the right not to be subject to automated decision-making including profiling	Where there is a legitimate basis, we will comply with your instruction not to be subject to a decision based solely on automated means or to engage in any profiling relating to you

Please note:

- It is your responsibility to notify us without delay in the event of any change in your personal circumstances, this enables us to meet our obligations to keep your information up to date.
- 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 credit assessment and anti-money laundering purposes and compliance with our legal duties in that regard. Where we use such automation, you have the right to request from us details relating to the rationale behind, or the criteria relied on in reaching the decision.

Personal Data relating to others

In certain cases, you may provide us with personal data relating to other individuals, this may include, without limitation, any employees, agents, spouses, partners and personal representatives of the applicant. In providing this information to us, you warrant that you are acting in accordance with the requirements of data protection legislation.

In turn we confirm that we will only process this information for the purposes of processing your mortgage application, administering your mortgage account at any stage, and for any other purposes as have been disclosed to you by us prior to you providing such personal data.

Security measure to protect your

We have strict security measures in place to protect your personal information. These relate to both technical and organisational measures ensuring that we can protect your

data from inadvertent destruction, amendment, loss, disclosure, corruption or unlawful processing.

All staff receive regular security training and are aware of their duties regarding data protection responsibilities and obligations of confidentiality. We have access controls in place to ensure that only authorised personnel have access to your data.

We have high level technical security measures in place to protect the data we store. All systems are subject to regular audits and testing and the contracts with our IT partners ensure a fast response time to any incidents. Backups are done in real time so as to ensure no loss of data in the event of an incident occurring.

Data Retention Periods

The length of time we retain your data depends on a number of factors, such as regulatory rules and the type of financial product we have provided to you. We are subject to regulatory rules set by authorities like the Central Bank of Ireland and we must adhere to any instructions from them regarding the retention of your data for the purposes of administering a mortgage account.

As a general rule, for administering your mortgage or where we have a deed in place or for the collection of monies owed to us, we will retain your data for 7 years from the date the mortgage was paid in full. This will depend on status of your mortgage; any legal disputes or any other relevant factors connected to your mortgage.

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

- Letters of offer are contracts and as such we retain them for 7 years from date of expiration or breach, and 12 years where the document is under seal.
- Mortgage applications form part of your letter of offer and as such we retain them for 7 years from date of expiration or breach, and twelve years where the document is under seal.

Conclusion

From time to time we may update our Mortgage Privacy Notice, please check our website www.gcul.ie regularly for any updates.

If you have any questions, concerns or suggestions related to our Mortgage Policy Notice, you can contact us using our details below:

Data Protection Officer,
Gurrabraher Credit Union,
Bakers Road,
Gurrabraher,
Co. Cork
T23AW26
Email: info@gcu.ie
Tel: 021 4303394

You have a right to complain to the Data Protection Commissioner (DPC) in respect of any processing by using the details below:

website: <https://www.dataprotection.ie>.

Data Protection Commission: 6 Pembroke Row, Dublin 2, D02 X963

Tel: (01) 765 01 00 / 1800 437 737