



Mortgage Lending

Privacy Notice

Please note this information need only be given to a member once

The data controller is Ennistymon & District Credit Union Ltd,
Church Street, Ennistymon, Co. Clare, V95 W085
Tel: (065) 707 1126
Email: info@ennistymoncu.ie

Our Data Protection Officer can be contacted by e-mailing dpo@ennistymoncu.ie, or by post at the address above.

The **purpose of the processing** is an application for mortgage credit from the member and an assessment of this application by the credit union. A successful application will result in a letter of offer being issued, and a mortgage credit agreement if this is accepted.

The **legal basis for processing** is for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract

Categories of data we collect for this processing:

- Full name/maiden name/signature
- Current and previous addresses
- Email address; phone number(s) and other contact information
- Age/date of birth
- Gender
- Marital status
- Partner/spouse; number of dependents
- Occupation and place of work
- Your bank account or other credit union account details
- Tax Identification Number/PPS Number
- Financial information, such as Income and expenditure, payroll, credit or payment card details, and, if appropriate, accounting records
- Proof of identity and address e.g. copy of driving licence/passport and utility bills
- Accommodation status; mortgage or tenancy information

We collect and hold health related data about you, which is **special category data**, gathered for the purpose of insurance on your loan.

Who we share your data with – sharing of your data can occur with the following:

- persons you have authorised to act on your account
- guarantors
- credit reference / rating agencies
- our loan protection insurance provider
- statutory and regulatory bodies, and law enforcement authorities
- systems suppliers providing systems support, off-site data backups, testing backup data, etc.
- supplier used for checking the names of members against sanctions lists,
- debt collectors & solicitors used for recovery of outstanding debts

Personal data about you received from a third party - 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 guarantor is involved the guarantor's details are also consulted with CCR. The lawful basis for this processing is compliance with a legal requirement.

The credit union may consult with the CCR in circumstances where the loan application value is below €2,000¹. The lawful basis for this processing is compliance with a legal requirement.

The credit report we receive contains your personal and credit information, as follows:

PERSONAL INFORMATION includes	CREDIT INFORMATION includes
Name (forename & surname) Current and previous addresses Date of birth PPSN Gender Eircode Telephone number	Type of loan (credit card, mortgage, overdraft) Name of the lender Amount of the loan Outstanding balance Number of overdue payments (if any) Date of next payment Amount of next payment

Open Banking: The introduction of Open Banking under the second Payment Services Directive (PSD2) allows authorised and regulated companies known as Account Information Service Providers (AISP) to ask an individual or business for permission to connect to their bank account and extract relevant bank account information for safe transfer to another financial institution.

As part of our on-line loan application process, members now have the option to use an AISP (Truelayer (Ireland) Ltd). This means that, with your consent, you can grant the credit union temporary access to electronic copies of your bank statements / transactions. This facility is intended to speed up the loan assessment process, in that you will not need to forward printed copies. The credit union does not get access to your bank account, only to the extracted information you consent to.

All members still have the option to send in hard copy printouts of bank statements.

Retention of your data – In a successful application for a mortgage, in compliance with legal requirements for record keeping, mortgage applications, mortgage assessment forms, letters of offer. and mortgage credit agreements are held for 7 years after they have been topped-up or completed. Supporting materials for assessment of ability to repay and guarantor materials are destroyed once the loan is topped-up or completed. ECCU forms are destroyed on completion of a loan.

In the case of an unsuccessful, cancelled or withdrawn application, all personal data related to the application will be deleted after a period of 3 months.

There are no **transfers of your personal data outside of the EEA**

Your rights as a data subject – you have the right to:

- **Data access** – find out how we use your information, what information of yours we have, and receive copies of this information
- **Rectification or erasure of data** – have inaccurate/incomplete information corrected and updated, and, in certain circumstances, to have your information deleted
- **Restriction of processing** – in certain circumstances, to have our use of your data restricted
- **Objection to processing** – in certain circumstances, to object to particular use of your personal data for our legitimate business interests (e.g. for direct marketing purposes). You also have the right not to be subject to solely automated decisions, and the right to have a person review such decisions.

¹ Under The European Communities (Consumer Credit Agreements) Regulations 2010 (S.I. No 281 of 2010) we are required to 'assess the consumer's creditworthiness on the basis of sufficient information'. In the Lending Section of the Credit Union Handbook (version March 2020) in assessing a borrower's creditworthiness, the Central Bank of Ireland expects credit unions to 'satisfy themselves that they are fully apprised of the borrower's financial position before granting a loan', and to be 'fully satisfied as to a member's creditworthiness and ability to service all debts before advancing any new credit or top up credit facilities'.

- **Data portability** – exercise the right to data portability (i.e. obtain a transferable copy of your information we hold to transfer to another provider)

Processing based on consent – while this processing is not based on consent, we would like to remind you that, if our lawful basis for processing your data is your consent to do so, you have the right to withdraw consent at any time. You may do this by dropping into one of our offices, or by writing to, or emailing us.

Provision of personal data for a mortgage application – provision of your personal data for your mortgage application is a requirement necessary to enter into this contract. Failure to provide the required information means we cannot process your mortgage application.

Automated decision making - we use a credit scoring system which helps us assess your ability to repay by comparing your overall income with all your financial commitments. Our decision to lend to you may be based partly on this system, and such processing will never be the sole basis for our decision.

You have the right to obtain human intervention in this automated process, to express your point of view, to obtain an explanation of the decision reached after such assessment, and to challenge the decision.

We may use automated processing to assist in compliance with our legal obligations around the prevention of money laundering, fraud and terrorist financing, for example, to screen for suspicious transactions.

Profiling – we use anonymised information to create member profiles, grouping individuals with similar characteristics together, to produce statistical information on our membership and on our service provision. This is done to assess service uptake, and for marketing purposes to identify services other members might find useful. You have the right to object to this processing.

Notification of additional processing – please note that, if, at some future time, we wish to use the data you are today providing for a purpose other than that outlined here, we are obliged to let you know beforehand.

Updates - This Privacy Notice may be updated from time to time and the current version of this Privacy Notice shall be retained in the shared folder on the system or can be obtained from the DPO or the Manager.

Lodging a complaint – you have the right to lodge a complaint about your personal data being processed, either with our Data Protection Officer (as above), or directly with the Data Protection Commission (contact details below):

Telephone +353 (0)1 765 0100 / 1800 437 737	Address: Data Protection Commission
E-mail info@dataprotection.ie	21 Fitzwilliam Square South
Web: https://forms.dataprotection.ie/contact	Dublin 2 D02 RD28

You can find more detailed information on what personal data we process and how we process it in our main Privacy Notice on our website www.ennistymoncu.ie