

Kilrush Credit Union Ltd.

Lending Privacy Notice

Credit Union Contact Details	
Address	Credit Union House
	Market Square
	Kilrush
	Co Clare
Phone	065 9051242
Email	dpo@kilrushcreditunion.ie

Data Protection Officer Contact Details	
Name/Title	Data Protection Officer
Phone	065 9080589
Email	dpo@kilrushcreditunion.ie

Kilrush Credit Union Ltd. is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you during and after your relationship with us.

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 carried out solely for the abovementioned objectives.

What personal data do we use?

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

- Personal Contact Information: Your name, address, date of birth, email, telephone number,
- Financial data: account details, transaction data, Salary
- Contract data: details of the credit union products you hold with us,
- identification documents, occupation, accommodation status, mortgage details, previous addresses, spouse, partners, nominations, Tax identification/PPSN numbers, interactions with credit union staff and officers on the premises, by phone, or email, current or past complaints,
- CCTV footage
- Telephone 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:

- 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 due diligence and credit searches and making submissions to 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.
- To ensure repayment of the loan and to facilitate the requirements of the contract between you and the credit union

- To contact you in respect of your guarantee in the event of the change of circumstance of the member/ member getting into arrears
- Collection of the debt
- Meeting our legal and regulatory 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.
- Providing updates on our loan products and services by way of directly marketing to you, where you have consented to this.

Some of the above grounds for processing will overlap and there may be several grounds, which justify our use of your personal data.

We need all the categories of information in the list above to allow us to identify you, perform our contract with you, contact you, and comply with our legal obligations.

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 sensitive personal data

"Special categories" of 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:

- We may collect, store and use "special categories" of sensitive personal information like information about your health, including any medical condition for the purposes of providing Loan Protection Insurance (See information on [Loan protection Insurance](#) for further details). For this processing, we rely on Section 50 of the Data Protection Act 2018,
- Where we are not permitted to rely on this legal basis for processing your sensitive personal data we will seek your explicit consent
- Less commonly, we may process this type of information where it is necessary in relation to legal claims or where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent or in the case where you have already made the information public.

Recipients of Your Personal Data – Third Parties

In the course of providing our services to you, complying with legal obligations or pursuing our legitimate interests, we may share your personal data with the following categories of recipients:

- third parties with whom: (i) we need to share your information to facilitate transactions you have requested, and (ii) you ask us to share your information;
- service providers who provide us with support services to enable delivery of our services;
- statutory and regulatory bodies and law enforcement authorities;

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 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 personal information will also be bound by the same confidentiality obligations under GDPR.

If you fail to provide personal information

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 and unable to proceed with the contract.

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 information for a different purpose, we will notify you and we will explain the legal basis, which allows us to do so.

Automated Decision Making

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.

Data Retention Periods

We will only retain your personal data for as long as necessary to fulfil the purpose(s) for which it was originally obtained, considering any legal/contractual obligation to keep it. The retention periods and the criteria for this retention period is documented in our Data Retention 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 seven 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 seven years.+
- Where you are named as a guarantor of a loan, this information will be retained and reported to the Central Credit Register until you are legally released from the guarantee.
- The Criminal Justice (Money Laundering and Terrorist Financing) Act 2010, as amended 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 are kept for one year

Transfers to third countries

We do not currently transfer data to countries outside of the EU/EEA.

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

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 your accounts and credit union services to you

Administrative Purposes: We will use the information provided by you for the purpose of assessing and processing your applications, 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.

Third parties: We may appoint external third parties to undertake operational functions on our behalf. Where this is the case, we will ensure that any information passed to third parties conducting operational functions on our behalf, will do so with respect for the security of your data, in line with data protection law.

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 those details of the outstanding indebtedness. If your circumstances change, it may be necessary to contact the guarantor.

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. Kilrush Credit Union Ltd. union is an affiliate of the ILCU, and the credit union must 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 Privacy Notice of ILCU can be found at www.creditunion.ie

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. Where this is the case, data will only be released, 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.

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.

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

- your application form or as part of your loan supporting documentation
- your existing credit union file,
- credit referencing agency the Central Credit Registrar (CCR)

The credit union then utilises this information to assess your 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 you are no longer a member. We may also share information 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 if required by 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, screening obligations under anti-money laundering, and combating terrorist financing obligations under T the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010, as amended.

Audit: To meet our legislative and regulatory duties to maintain audited financial accounts, we appoint an external auditor. We will allow the external auditor to see our records (which may include information about you) for these purposes.

Credit Reporting: Where a loan application is made, for 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 monthly on both personal details and credit details of the borrower and any guarantor to the CCR.

We have the details available for you on the CCR section of our website

www.kilrushcreditunion.ie/central-credit-register/

You may want to view the details and frequently asked questions of this on the CCR website; www.centralcreditregister.ie/borrower-area/faqs/

and the CSO website;

www.cso.ie/en/methods/administrativedata/administrativedatafaq/thecentralstatisticsofficeandthecentralcreditregister/

The CCR is the data controller in the first instance and the CSO is the data controller once it receives the data from the CCR.

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 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. However, even then, it must 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 agency, the Central Credit Registrar **CCR** (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, being applied for. When using the service of a credit-referencing agency we will pass them your personal details and details of your credit performance.

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 those 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 (Debit Ask) in order to locate you in the event that you fail to make repayments on your loan and or fail to contact 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

Judgements Searches: We may carry out searches in Stubbs Gazette 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 of the loan applied for. In carrying out such a search, we can better determine your overall financial position in order to lend to you.

CCTV: We have CCTV installed on the premises with clearly marked signage

Our legitimate interest: It is necessary to secure the premises, property herein and any staff /volunteers/members or visitors to the credit union.

Voice Recording: We record phone conversations both incoming and outgoing for the purpose of verifying information, quality of service and training purposes.

Our Legitimate interest: To ensure a good quality service, to ensure that correct instructions were given or taken, and to quickly and accurately resolve any disputes.

Data Analytics: We perform data analytics on our products and members to allow us to understand how our members interact with us, what products and services members avail of and to develop new products and services. Data analytics could include personal data, and special category data such as medical information. Aggregate reports are used for these purposes where individuals are not identifiable.

**Your consent**

We will only carry out processing which is based on your consent and will cease processing once you withdraw such consent

Marketing and Market Research








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/or specialist market research companies.

From time to time, we would like to inform you of goods, services, competitions, and/or promotional offers available from us, that might be of interest to you. We may use Email, phone, SME or post. You have a right to notify us free of charge at any time that you wish to refuse such marketing by contacting us or by using the "opt-out" options in any marketing message, we send you.

Please contact us directly should you wish to change or withdraw your consent.

Your Rights

The following are your rights in connection with your personal data.

	<p>To find out whether we hold any of your personal data and if we do, to request access to that data and to be provided with a copy of that data. You are also entitled to request further information about the processing.</p>
	<p>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.</p>
	<p>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). There may be legal reasons why we cannot erase your data, and we will inform you of these if they apply.</p>
	<p>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.</p>
	<p>Request the restriction of processing of your personal information. You can ask us to suspend processing personal data about you, in certain circumstances.</p>
	<p>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.</p>
	<p>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.</p> <p><i>Relevant personal data</i> 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.</p>

You have a **right to complain** to the **Data Protection Commission** in respect of any processing of your data at

Post	Telephone	E-mail
Data Protection Commission 6 Pembroke Row Dublin 2 D02 X963 Ireland	+353 (0) 1 765 0100 1800 437 737	info@dataprotection.ie

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

If you want to access and/ or receive 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 on page 1 of this document.

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 security measure, to ensure that your personal information is not revealed 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 straight away if there are any changes to your personal information. If you wish to avail of either of these rights, please contact us using our contact details on page 1 of this document.