



## Mortgage Privacy Notice of People First Credit Union Limited

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 for the purpose of facilitating the abovementioned objectives. This notice is so that we provide you with information around the use of your data for lending or lending related purposes.

### Our Contact details are:

Address: Portlaoise Branch : James Fintan Lalor Avenue, Portlaoise, Co Laois.  
Abbeyleix Branch: Credit Union House, Main Street, Abbeyleix, Co Laois.  
Athy Branch: 3 Emily Row, Athy, Co Kildare.

Phone: 057 8622594

Email: [info@peoplefirstcu.ie](mailto:info@peoplefirstcu.ie)

Data Protection Officer Email: [dataprotection@peoplefirstcu.ie](mailto:dataprotection@peoplefirstcu.ie)

Web: [www.peoplefirstcu.ie](http://www.peoplefirstcu.ie)

People First Credit Union is committed to protecting the privacy and security of your personal data. 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, title, date of birth, member number, gender, email, telephone number, 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, partners, Tax Identification/PPSN numbers, relationship with joint borrower, business ownership, directorships held, interactions with credit union staff and officers on the premises, by phone or email, current or past complaints, CCTV footage, telephone voice recordings, retirement age, first time buyer, pension details, residency, nationality, criminal sanctions.

### 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 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.
- Providing updates on our loan products and services by way of directly 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 where we have an appropriate legal basis and we have met a necessary precondition. 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 and in line with our data protection policy.
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.

#### **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<sup>1</sup>. 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**

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.

You agree to notify your credit union 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.

#### **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 and anti-money laundering purposes and compliance with our legal duties in that regard. We also carry out profiling in order to tailor our marketing to you by profiling members according to categories such as age, loan history, savings, life cycle and date of account opening.

#### **Third Parties**

The credit union provides your information to insurance companies for the purpose of insuring the loan.

As part of the mortgage process you must acquire Mortgage Protection and Home Insurance. With Mortgage Protection we are required to send a Deed of Assignment to your Mortgage Protection provider requesting PFCU are noted on the Policy. With Home Insurance we must also notify your provider to have PFCU noted on the policy We deal with your solicitor and our Solicitors Pierse Fitzgibbon Solicitors in the course of your mortgage application.

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<sup>1</sup> As a data controller, the organisations will be required to have provided you with a separate privacy notice setting out what it does with its data.

### 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. 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.

### Planned data transmission to third countries

There are no plans for data transmission to third countries during the Mortgage Application process.

### 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.peoplefirstcu.ie](http://www.peoplefirstcu.ie) or alternatively 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, 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.

**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.

**Guarantors:** As part of your loan conditions, we may make the requirement for the appointment of a guarantor a condition of your loan agreement as an additional security for 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.

**Change in personal circumstances:** You agree to notify us without delay in the event of any change in your personal circumstances, to enable us to comply with our obligations to keep information up to date.

**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 (by which members of the credit union are bound to the credit union) and the League Rules (by which the credit union is bound to the ILCU). 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](http://www.creditunion.ie)

**The ILCU Stabilisation 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.

**Electronic Payments:** If you use our electronic payment services to transfer money into or out of your credit union account (such as credit transfers, standing orders and direct debits) or make payments through your debit card into your credit union account, we are required to share your data with our **current** electronic payment service provider PAYAC Services CLG (“PAYAC”) for the purpose of processing of electronic payments services on your account. The Credit Union is a participant of PAYAC. PAYAC is a credit union owned, independent, not-for-profit company that provides an electronic payments service platform for the credit union movement in Ireland. PAYAC is an outsourced model engaging third party companies, such as a Partner Bank (currently Danske Bank) to assist with the processing of payment data.

**Electronic Payments: (Not through PAYAC)** If you use our electronic payment services to transfer money into or out of your credit union account or make payments through your Debit Card into your credit union account, we are required to share your personal data with our electronic payment service provider **Pay and Shop Limited trading as Global Payments.**

**Insurance:**

**Life Savings/Loan Protection:** 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.

**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.



**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. An example of this is our legal obligation to file reports on the Central Credit Register in accordance with the Credit Reporting Act 2013. 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”), the Criminal Justice (Money Laundering and Terrorist Financing) Act 2018 and the Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2021 (the latter two were introduced under the 4<sup>th</sup> and 5<sup>th</sup> AML/CTF EU Directives). This will include filing reports on the Beneficial Ownership Register, the Beneficial Ownership Register for Certain Financial Vehicles (“CFV”), on the

Bank Account Register, the European Union Cross-Border Payments Reporting (“CESOP”), the Central Register of Beneficial Ownership of Trusts (“CRBOT”) and the Ireland Safe Deposit Box, Bank and Payment Accounts Register (ISBAR). This reporting obligations requires the credit union to submit certain member data to the relevant authority administering the registers, such as the Central Bank of Ireland or the Revenue Commissioners. For further information, please contact the credit union directly.

**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 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. 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.



**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 Central Credit Registrar (see **Legal Duty**). We have used the Central Credit Register since June 2017.

**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.

CCR use **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. See CCR’s Factsheet on how the Central Credit Register works which is available at <https://www.centralcreditregister.ie/about/how-it-works/> it documents who they are, how it works, who owns the information they hold and your rights i.e. your right to request a free copy of your credit report, right to place an explanatory statement on your credit report, right to ask to have your information amended and the right to place a notice of suspected impersonation on your Credit Report.

#### **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. The credit union may share the information it obtains when assessing your application for a mortgage loan for the said purposes and for the following:

- any (or any proposed) assignee, transferee, mortgagee, chargee, sub-mortgagee, sub-chargee, trustee or other grantee or dispose or successor and their respective officers, employees agents and advisers;
- any other person directly or indirectly participating in or promoting or underwriting or managing or auditing (or proposing to do so) any transfer, assignment disposal, mortgage, charge, sub-mortgage, sub-charge, trust securitization scheme, mortgage-backed promissory note facility or other transaction or arrangement relating to or involving the mortgage and the conditions attached to the mortgage;
- agents and advisers of your credit union and
- Any other party to whom you have agreed the credit union may disclose your information, each of whom in turn may use that information for the above and other purposes which have been disclosed to you.

You agree to notify your credit union 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.

**Personal Data from Others**

Where you provide to your credit union personal data relating to individuals (which for these purposes shall include, without limitation, any employees, agents, spouses, partners and personal representatives of the persons included in the expression Mortgagor) you warrant that you are acting in accordance with the requirements of the Data Protection legislation in providing that information to your credit union for the purposes set out in your mortgage for the purposes set out in this clause and for such other purposes as have been disclosed to you by your credit union prior to you providing such personal data to your credit union.

**Debt Collection:** Where you breach the Loan agreement we may use the services of a Debt Collection Agency, solicitors or other third parties to collect the debt. We will pass them details of the loan application in order that they may make contact with you and the details of the indebtedness in order that they recover the outstanding sums.

**Our legitimate interest:** The Credit Union where appropriate will if necessary have to take steps to recover aa debt in order to protect the assets and equity of the Credit Union

**Judgements and/or Directorship Searches:** We may carry out searches in Vision Net 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 history in order to determine your suitability for the loan applied for. In carrying out such a search we can better determine your overall financial position in order to lend to you

**Voice Recording:** We record phone conversations both incoming and outgoing for the purpose of verifying information, clarification of instructions 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 resolve any disputes.

**CCTV:** We have CCTV footage installed on the premises with clearly marked signage. The purpose of this is for security, for the prevention of theft, and for security of credit union staff, members, volunteers, visitors, contractors, 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, members, volunteers, visitors or contractors to the credit union and to prevent and detect fraud.



**Your 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. We need you to opt-in or give prior consent before we can contact you via post, email, phone or text for marketing and promotional purposes. You will be afforded the opportunity to decide on your marketing preferences when completing the application to apply for a

mortgage with the credit union You can change your preferences at anytime by opting out or by emailing us at [info@peoplefirstcu.ie](mailto:info@peoplefirstcu.ie) or in writing to People First Credit Union, JFL Avenue, Portlaoise, Co Laois.



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

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

You have a **right to complain** to the **Data Protection Commissioner (DPC)** in respect of any processing of your data by:

<p><b>Telephone:</b> 1800 437 737 / +353 (01)765 0100</p> <p><b>E-mail:</b> <a href="https://forms.dataprotection.ie/contact">https://forms.dataprotection.ie/contact</a></p>	<p><b>Postal Address:</b>  <b>Data Protection Commissioner,</b>  <b>21 Fitzwilliam Square South, Dublin 2.</b>  <b>D02 RD28</b></p>
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**Please note that the above rights are not always absolute and there may be some limitations.**

If you want access to 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 the Data Protection Officer in writing at People First Credit Union, JFL Avenue, Portlaoise, Co Laois or by emailing [dataprotection@peoplefirstcu.ie](mailto:dataprotection@peoplefirstcu.ie).

**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.