

DATA PROTECTION NOTICE

EFFECTIVE 25/05/2018

Fitzwilliam Loan Management (“FLM”) is a credit servicing firm acting on behalf of multiple parties (“Loan Owner(s)”) to manage and service loan portfolios. The purpose of this Data Protection Notice is to explain how we, acting as data controller or processor or both in certain circumstance, gather and use your data. FLM is committed to protecting your privacy and endeavours to apply the highest standards in accordance with applicable laws and regulations, including the General Data Protection Regulations.

1. Data Protection Officer

Our Data Protection Officer oversees how we collect, protect, share and use data. You can contact our DPO at info@flm.ie or in writing at The Data Protection Officer, 61 Fitzwilliam Square, Dublin 2.

2. How & why we collect information from you.

In your engagement with FLM, on behalf of your Loan Owner, we gather information from you in order to assess your financial circumstances. This information is gathered on our standard information request forms and in our ongoing engagement. FLM will also use information such as address, date of birth, information on loans held with the Loan Owner which was obtained by the Loan Owner from the previous lender.

To meet our regulatory and legal obligations, we collect some of your personal information, verify it, keep it up to date through regular checks, and delete it once we no longer have to keep it. We may also gather information about you from third parties to help us meet our obligations. If you do not provide the information we need, or help us keep it up to date, we may not be able to provide you with our products and services.

3. Type of information we gather

The following is a list of the type of data we gather:

- Identity & contact details;
- Financial details;
- Marital status/or financial associates;
- Information about others; and,
- Sensitive data.

Where you provide us with information about others (e.g. partner, spouse, child, guarantor) we rely on you to ensure that you have consent from that person to provide the information to be used as outlined in this Data Protection Notice.

Where you disclose sensitive data, (e.g. data consisting of racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, data concerning health or data concerning your sex life or sexual orientation), we will require you to provide explicit consent for us to hold and process this data.

4. Consent

FLM will keep your information confidential and will only use this information for the purpose outlined above or as otherwise informed by us with your consent.

We will retain information, including Personal Data to comply with our agreements, legal obligations, and the resolution of any disputes. FLM will continue to rely on any consent you may have provided to date.

If you have provided us with consent to process your personal information you have the right to withdraw the consent at any time. Provided there is no other legitimate reason for us to process that data we will cease processing it.

5. How long we keep your information

To meet our legal and regulatory obligations, we hold your information while you are a customer and for a period of time after that. We do not hold it for longer than necessary.

6. How we use your information

FLM may undertake searches and share data with credit reference agencies (including the Irish Credit Bureau and the Central Credit Register) from time to time while you have any loans outstanding to the Loan Owner. The credit reference agencies may keep a record of the search for a period of time and may disclose the fact that a search has been made. They may also disclose the information to their other members.

FLM, together with the Loan Owner, may use any information received above, subject to your consent or the Loan Owners legal right, to (1) make credit decisions in relation to you and (2) to review the operation, management, and performance of a loan(s) and (3) to help prevent fraud and to recover the Loan Owners property.

To use your information lawfully, we rely on one or more of the following legal bases:

- performance of a contract;
- legal obligation;
- protecting the vital interests of you or others;
- public interest;
- our legitimate interests; and
- your consent.

7. How we share your information

We will share your information with your Loan Owner and primary servicer. We may also share your information in response to investigations, court orders, or other regulatory, governmental, or judicial requests.

We may also share your information in order to investigate, prevent, or take action against any contractual obligations you may have with FLM or the Loan Owner or as otherwise required by law.

We may also share your information with solicitors, insurers, accountants, valuers, investors, estate agents or other agents who can act on our/Loan Owner's behalf.

We also use third party providers for a number of software solutions, IT provisions and data storage.

8. How we keep your information safe.

FLM make every attempt to ensure your data is protected and secure. We use a variety of technical and organisation security measures including computer safeguards, limitation of access, secure storage and office security.

9. International transfers of data

We may transfer your personal information outside of the European Economic Area (EEA) to help us meet our obligations. We expect the same standard of data protection is applied outside of the EEA to these transfers and the use of the information, to ensure your rights are protected.

10. Our Website

FLM do not currently gather information from our website however reserve the right to do so in future.

11. 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.flm.ie.

12. Your personal information rights

If you wish to access, correct, delete, or transfer any information you have provided, you may send a request to FLM per contact details below and we will endeavour to respond and address your request within 30 days.

Your main personal information rights are listed below:

Accessing your personal information:
You can ask us for a copy of the personal information we hold.

You can ask us about how we collect, share and use your personal information.

Updating and correcting your personal details.

Removing consent: You can change your mind wherever you give us your consent, e.g. to use your sensitive information, such as medical or biometric data.

Restricting and objecting: You may have the right to restrict or object to us using your personal information or using automated decision making.

Deleting your information (your right to be forgotten). You may ask us to delete your personal information.

Moving your information (your right to Portability). Where possible we can share a digital copy of your information directly with you or another organisation.

We generally do not charge you when you contact us to ask about your information.

13. Making a complaint

If you have a complaint about the use of your personal information, please let us know as soon as possible. If you wish to make a complaint you may do so in person, by telephone, in writing and by email. Please be assured that all complaints received will be fully investigated. We ask that you supply as much information as possible to help our staff resolve your complaint quickly. You can also contact the Data Protection Commission in Ireland at www.dataprotection.ie.

14. Contact Us

If you have any queries regarding this policy please contact our DPO at info@flm.ie or in writing at The Data Protection Officer, 61 Fitzwilliam Square, Dublin 2.