



## General Privacy Notice of Pennyburn 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 solely for the purpose of carrying out the abovementioned objectives. This Privacy Notice is to provide you with information regarding the processing of information about you for account related purposes and other general purposes and to provide you with information on further processing that may be necessary where you apply for a loan with us.

Our contact details are:

Contact: The Data Protection Representative  
Pennyburn Credit Union Ltd  
Address: 19 Greenhaw Road  
Derry  
BT48 7RZ  
Phone: 028 71352166  
Email: [info@pennyburncreditunion.co.uk](mailto:info@pennyburncreditunion.co.uk)

Pennyburn Credit Union Ltd 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, current and previous address details, date of birth, email, telephone data, signatures, identification documents (including Passport), membership number, account number, transaction data, contract data, details of the credit union products you hold with us and have held with us, income, occupation, employer, residential status, mortgage details and other indebtedness, financial data, bank data, spouse, partners, dependants, nominations, Tax Identification Numbers (PPS/National Insurance numbers) source of funds, source of wealth, Politically Exposed Status, interactions with credit union staff and officers on the premises, by phone or email, current or past complaints, CCTV footage, education/skills, beneficial owners and Common Reporting Standard (tax residency).

### **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:

- To open and maintain an account for you;
- To meet our obligations to you under the Credit Union's Standard Rules;
- To contact you in respect of your account and any product or service you avail of;
- To comply with our legal obligations for example anti-money laundering and to identify connected borrowers;
- 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;
- 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 for membership and/or borrowing requirements;
- Meeting legal and compliance obligations and requirements under the rules of the credit union;
- To comply with regulatory requirements 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;
- To contact you in respect of your guarantee (where applicable) in the event of a member getting into arrears.

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

- Information about your health, including any medical condition and sickness (See Insurance for further details).

We need all the categories of information in the list above to allow us to identify you, to 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 in the following circumstances:

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 it is needed in the public interest, and in line with our data protection policy.

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. 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.

#### **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 anti-money laundering purposes and compliance with our legal duties in that regard.

#### **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.

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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 your data.

Once the retention period has expired, the respective data will be permanently deleted. Please see our retention periods below. If you require further information please contact us.

- CCTV footage which is used in the normal course of business (i.e. for security and credit union personnel conduct purposes) for up to one month. (Unless required for compliance with a legal obligation);
- Evidence of identity checks to be maintained for 5 years after an individual ceases to be a member of the credit union;
- Details of member transactions are maintained for a period of 10 years after the transaction;
- Loan application and supporting information including guarantor documentation is maintained for a period of 7 years from the discharge, final repayment or transfer of the loan and 12 years where the document is under seal; and
- Forms and records will be retained in individual member files for 6 years after the relationship with the member has ended.

**Pennyburn Credit Union Ltd has no plans for Data transmission to third countries.**

#### **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.pennyburncreditunion.co.uk](http://www.pennyburncreditunion.co.uk) 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, contained in any form or application, for the purpose of assessing this application, processing applications you make and to maintaining and administer any accounts you have with the credit union.

**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 do so with respect for the security of your data and will be protected in line with Data Protection law.

**Security;** Shares held in your account at the point of any loan application (excluding Easy Shares) will be pledged against the loan balance at the date of loan draw down.

**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 supporting loan documentation;
- your existing credit union file;
- credit referencing agencies (where necessary);
- as a guarantor your suitability to guarantee a loan by way of Electoral Register, credit checks and fraud prevention agencies.

The credit union then utilises this information to assess your loan application in line with the applicable legislation and the credit unions lending policy.

**Guarantors:** As part of your loan decision, we may make the appointment of a guarantor a condition of your loan agreement in order that the 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 i.e. outstanding loan, interest and associated charges and/or fees in which case we will provide details of the outstanding indebtedness. If your circumstances change it may be necessary to contact the guarantor.

**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 'special category' data will be processed where a full Declaration Of Health is required and will be shared with ECCU to allow it to deal with insurance underwriting, administration and claims on our behalf. In this event, a copy of ECCU's Privacy Notice as a Data Controller will be issued to the credit union member.

**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 (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 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 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.

The Privacy Notice of ILCU can be found at [www.creditunion.ie](http://www.creditunion.ie)

**Electronic Payments - CUSOP:** For the processing of electronic payments services on your account (such as credit transfers, standing orders and direct debits/credits), the Credit Union is a participant of CUSOP (Payments) DAC ("CUSOP"). CUSOP is a credit union owned independent, not-for-profit company that provides an electronic payments service platform for the credit union movement in Ireland. CUSOP is an outsourced model engaging third party companies, such as a Partner Bank, to assist with the processing of payment data.

**Electronic Payments [not through CUSOP]:** If you use our electronic payment services (such as credit transfers, standing orders and direct debits/credits) to transfer money into or out of your credit union account or make payments through your debit/credit card into your credit union account, we are required to share your personal data with our electronic payment service provider.

**Member Service:** We may use information about your account to help us improve our services to you.

**Incapacity to act on your account:** The Credit Unions (Northern Ireland) Order 1985 (as amended) provides, in the circumstances where you become unable to transact on your account, due to a mental incapability and no person has been legally appointed to administer your account, that the Board of Directors may allow payment to another who it deems proper to receive it, in order that the money be applied in your best interests. In order to facilitate this, medical evidence of your incapacity will be required which will include data about your mental health. This information will be treated in the strictest confidentiality.



#### **Our legal duty**

This basis is appropriate when we are processing personal data to comply with UK or Northern Ireland Law

**Tax liability:** We may share information and documentation with domestic and foreign tax authorities to establish your liability to tax in any jurisdiction. Where a member is tax resident in another jurisdiction the credit union has certain reporting obligations to HM Revenue and Customs (HMRC) under the Common Reporting Standard. HMRC will then exchange this information with the jurisdiction of tax residence of the member. We shall not be responsible to you or any third party for any loss incurred as a result of us taking such actions. The legal basis upon which we do this is compliance with HM Revenue and Custom's Automatic Exchange of Information standard. We may also share information in respect of dividends and interest payments to members to HMRC where required by law.

**Regulatory and statutory requirements:** To meet our duties to regulators (the Financial Conduct Authority (FCA) and the Prudential Regulation Authority (PRA)), 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 Department for the Economy (DfE), the Financial Services Compensation Scheme (FSCS) and Financial Ombudsman Service (FOS) if required by law.

**Compliance with our anti-money laundering and combating terrorist financing obligations:** The information provided by you will be used to comply with the credit union's customer due diligence and screening obligations as part of our anti-money laundering and combating terrorist financing obligations. This is required under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 and associated legislation.

**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.

**Connected Party Borrowers:** We are obliged further to regulatory obligations to identify where borrowers are connected in order to establish whether borrowers are acting together to achieve an aggregate loan that exceeds the limits set out in our lending policy.

**Nominations:** The Credit Unions (Northern Ireland) Order 1985 (as amended) allows members to nominate a person(s) to receive a certain amount from their account on their death, subject to a statutory maximum. The credit union must record personal data of nominees in this event.



#### **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 (CRA's):** We may share information you have provided to us with credit reference agencies to verify your identity and suitability for a loan, using information from the Electoral Register and other public sources. When you apply to us for a loan or to guarantee a loan, we may check the following records about you:

- (a) our own records;
- (b) records at credit reference agencies. When credit reference agencies receive a search from us they will place a search footprint on your credit file that may be seen by other lenders. They supply to us both public (including the electoral register) and shared credit and fraud prevention information; and
- (c) Those at fraud prevention agencies.

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.

The searches may also assess your application for the purpose of verifying identities, to prevent and detect crime and money laundering. We may also make periodic searches at credit reference agencies and fraud prevention agencies to manage your account with us a part of our ongoing customer due diligence.

If you are making a joint application or tell us that you have a spouse or financial associate, we will link your records together so you must be sure that you have their agreement to disclose information about them. Credit reference agencies also link your records together and these links will remain on your and their files until such time as you or your partner successfully files for a disassociation with the credit reference agencies to break that link.

If you give us false or inaccurate information and we suspect or identify fraud we will record this and may also pass this information to fraud prevention agencies and other organisations involved in crime and fraud prevention. In order to process your application we will supply your personal information to CRAs and they will give us information about you, such as about your financial history. We do this to assess creditworthiness and product suitability, check your identity, manage your account, trace and recover debts and prevent criminal activity. We will also continue to exchange information about



you with CRAs on an ongoing basis, including about your settled accounts and any debts not fully repaid on time. CRAs will share your information with other organisations. Further information about credit reference agencies, and financial connections and how they may be ended, can be obtained from the Credit Reference Agency Information Notice (CRAIN) which sets out how the three main credit reference agencies Callcredit, Equifax and Experian, each use and share personal data they receive about you and/or your business that is part of or derived from or used in credit activity. CRAIN is accessible from each of the three CRAs – using any of these three links will also take you to the same CRAIN document: Callcredit [www.callcredit.co.uk/crain](http://www.callcredit.co.uk/crain); Equifax; [www.equifax.co.uk/crain](http://www.equifax.co.uk/crain); Experian [www.experian.co.uk/crain](http://www.experian.co.uk/crain).

**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 on details of the loan application and your indebtedness in order that they make contact with you and recover the outstanding sums.

Our legitimate interest: The credit union, where appropriate will take necessary steps to recover a debt to protect the assets and equity of the credit union.

**Judgements & Debt Relief Searches:** We may carry out searches in Stubbs Gazette(s) and Department for the Economy register (Debt Relief Order, Bankruptcy & Individual Voluntary Arrangement) 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 loan applied for. In carrying out such a search we can better determine your overall financial position for any borrowing request.

**CCTV:** We have CCTV systems installed on the premises with clearly marked signage. The purpose of this is for security and Credit Union personnel conduct monitoring.

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.

**Marketing:** The credit union market its members by way of promotional loan flyer issued to adults (18 years of age and over) throughout the year. Promotion of the credit union's loan product creates awareness of the organisations loan offering, providing clear and open information on Annual Percentage Rate (APR) charged and loan terms available. All recipients of the promotional literature have an option to 'opt out' of all marketing and are given the opportunity to do so at every trigger event.

Our legitimate interest: As a member owned financial cooperative, the continued viability of the business ultimately benefits our members through a return on surplus. Our borrowing members benefit from annual rebates (where available) from loan interest charged throughout the financial year. The ability to provide this return on surplus is reliant on loan growth and increased revenue from same. Promotion of our loan product plays a significant part in achieving these returns.



## Your consent

### 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.

### Art Competitions

This credit union is involved with the Art competition in liaison with the ILCU. Upon entry you will be given further information and asked for your consent to the processing of personal data. Your information is processed only where you have given consent. Where the person providing consent is below 13\* then we ask that the parent/legal guardian provide the appropriate consent. A separate Privacy Notice is included in all Art Competition entry forms. (\*This is the age set by the UK in the Data Protection Act 2018).

### Schools Quiz

This credit union is involved in the Schools Quiz in liaison with the ILCU. The Schools Quiz is open to entrants aged 4 to 13. Upon entry parent/legal guardians will be given further information and asked for their consent to the processing of their child's personal data. This information is processed only where consent has been given. Where the person providing consent is below 13\* then we ask that the parent/legal guardian provide the appropriate consent. A separate Privacy

Notice is included in all School Quiz entry forms. (\*This is the age set by the UK in the Data Protection Act 2018).

## **Cookie Notice of Pennyburn Credit Union Ltd**

### **Session Cookies (First-Party Cookies):**

Session cookies are essential for secure user navigation through the member's area of our website and enable the delivery of basic functionality. Specifically they ensure the security and integrity of the member's area, preventing fraudulent use and keeping you signed in while you move between pages and access your account details. These cookies last only for the duration of your visit and are deleted when you logout or close your browser.

The cookies used by our website will not be used for any other purpose than those stated above.

### **How to control cookies:**

You can control and/or delete cookies as you wish – for details, see [aboutcookies.org](http://aboutcookies.org). You can delete all cookies that are already on your computer and you can set most browsers to prevent them from being placed. If you do this, however, you may have to manually adjust some preferences every time you visit a site and some services and functionalities may not work.

## 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 with 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 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 for processing is your consent or on a contract that you have entered into with us*'.

You have a **right to complain** to the **Information Commissioners Office (ICO)** in respect of any processing of your data by;  
**Tel:** 028 9027 8757 or 0303 123 1114 / **Email:** ni@ico.org.uk / **Post:** ICO, 3rd Floor, 14 Cromac Place, Belfast, BT7 2JB.

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

If you want access to 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 a copy or a third party a copy of your relevant personal data in a reusable format, please contact us in writing using the contact details above.

**There is no fee for 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 tell us straightaway if there are any changes to your personal information. If you wish to avail of either of these rights, please contact us on the details above.

**\*\*Should you require a copy of this document in larger print, please ask staff\*\***