



## **Fair Processing Notice – Your Personal Data**

### What does this mean for you?

Our privacy notice provides you with information about how we use your personal data, which we are required by law to give you. Each section sets out different information, you can utilise the below list to choose which sections of our Privacy Notice you want to read.

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## Who are Kapama Limited?

Kapama Limited is the data controller of your personal data. We are a leading provider of debt purchase solutions in the UK. We are authorised and regulated by the Financial Conduct Authority (FCA).

To find out more about Kapama Limited, please see our website: [www.kapamacredit.com](http://www.kapamacredit.com)






## What types of personal data do we collect and how do we collect it?

The types of personal data we collect are outlined below:

-  **Personal Data** – Personal data is information that can be used to identify you as an individual such as name, address, and contact information including IP addresses.
-  **Financial Data** – Financial data is information from your credit file, income and expenditure data, account information and any other information relating to your ability to repay your account.

### *Special Categories of personal data:*

Some categories of personal data are more sensitive, these are known as special categories of personal data and as an example, may include:

-  Racial, Ethnic origin
-  Biometric data
-  Ethnic origin
-  Religious beliefs
-  Data concerning health, sexual orientation

If you ever disclose this type of personal data to us, we will only keep this on record if it is necessary for the services we are providing. Where we do need to keep this data, we will always request your explicit consent. We will only store this data for as long as it is relevant and will check this with you periodically. You have the right to withdraw your consent and if you do, we will delete the special category data from our records.







If you disclose special category personal data to us without us having the opportunity to obtain explicit consent, for example if you send a letter to us detailing your medical situation, you will have given your consent for us to process that data.



Where we consider it necessary to record the special category data you give to us, we will securely record this information. This does not affect your right to withdraw consent to the processing of this data.

## How do we collect your personal data?

We collect your information in the following ways:






-  We obtain data from the previous owner of your account
-  We keep records of correspondence between us, including letters email, live chat logs, SMS and any social media communications.
-  We record phone calls and webchats between you and our staff for training and monitoring purposes and to improve and enhance the service we offer you.
-  When you use our website, we may collect information concerning your usage of the website, behavioural patterns, traffic data, viewed pages and the originating domain name of your internet service provider. We operate CCTV at our business premises, if you were to visit our office, your image could be captured on CCTV.

We access third party data sources and combine and process data from those sources with your personal data. Examples of such third-party sources include Credit Reference Agencies (CRAs), bankruptcies, register of court judgements, land registry, postcode lookup/verification databases and telephone number lookup/verification databases.

-  Third parties that we appoint may collect personal data from you and pass it on to us
-  We collect information concerning your usage of our website, behavioural patterns, traffic data, viewed pages and the originating domain name of your internet service provider.

## How we use your personal data

We use your personal data:

-  To help us service your account
-  To manage our operations and improve our service to you
-  To manage security, risk and crime prevention.
-  To meet our regulatory requirements
-  To undertake statistical analysis for business improvement



# Kapama

The table below sets out the lawful bases that we rely on to process your personal data.

Business Process	Our lawful basis for processing	How do we use your data?
Debt Recovery	<ul style="list-style-type: none"> <li>• Performance of a contract</li> <li>• Legitimate Interests</li> <li>• Compliance with a legal obligation</li> </ul>	As a business, our core operation is the purchase of delinquent consumer debt portfolios and the recovery of the outstanding balances associated with these cases. As part of the recovery process we would need to perform trace and debt recovery activities (or authorise a third party to carry these activities out on our behalf); validate your identity, contact you in writing/SMS/email and telephone, agree repayment arrangements, process payments and where appropriate take enforcement action
Promoting Responsible Lending	<ul style="list-style-type: none"> <li>• Legitimate Interests</li> </ul>	We will collect personal data from and share your personal data with Credit Reference Agencies in order to help promote responsible lending.
Management of your account	<ul style="list-style-type: none"> <li>• Compliance with a legal obligation</li> <li>• Legitimate Interests</li> <li>• Performance of a contract</li> </ul>	As a business, we have an obligation to manage your account and, where your account is a consumer credit agreement, we have a legal obligation to provide you with statutory communications. We have a legitimate interest in understanding your ability to repay the outstanding balance as well as how best to communicate with you.



# Kapama

Training, Monitoring and Improving our Services	<ul style="list-style-type: none"><li>• Compliance with a legal obligation</li><li>• Legitimate Interests</li></ul>	To ensure we provide the best service we can, we use recordings of telephone calls, which will contain personal data of our customers, to train staff. We may choose to ask another company to contact you to request feedback enabling us to review the service you've received and to make improvements where necessary. We monitor your website usage, collecting information to improve our service and operational business efficiencies
Complying with Legal and Regulatory requirements	<ul style="list-style-type: none"><li>• Legitimate Interests</li><li>• Performance of a contract</li><li>• Compliance with a legal obligation</li></ul>	At times we share data with other third parties where we have a legal or regulatory requirement to do so, for example the Financial Conduct Authority. In the event that you are unhappy and have made a complaint to the Financial Ombudsman Service, we will share your personal data with them enabling them to review your complaint.

## How long we keep your personal data







We will keep your personal data for as long as you are a customer of Kapama Limited.

We will keep your personal data for 6 years from when our relationship with you comes to an end, in order to respond to any complaints or queries and in complying with legal and regulatory obligations to keep certain records.

## Who we share your personal data with

At times we will need to share your personal data with other companies:



-  Other companies within the same group of companies as Kapama Limited
-  Debt Collection Agencies or solicitor firms where they are acting on our behalf to help recover an overdue debt.
-  Other companies that may help us to validate that the data we hold is accurate or to obtain new information – for example a new telephone number.
-  Your original creditor
-  Suppliers and service providers – for example, companies that provide us with an IT infrastructure or mailing service.
-  Any person or company that you instruct to liaise with us – for example, a friend, family member, representative or a Debt Management Company

In the event that we sell part of our business or a portfolio of accounts, we will share your personal data with the prospective purchaser and any agent acting on their behalf in order to review and complete the sale. Whenever we engage with a third party we ensure that the third party has a similar level of safeguards and controls in place before sharing your personal data with them.






## Transferring your personal data outside of the EEA

We may transfer your personal data to organisations that operate outside of the European Economic Area enabling us to work with suppliers who help us to manage your account.

Where we do transfer your personal data outside of the EEA we will ensure that your data is protected, and any suppliers are part of the privacy shield, and/or that the appropriate contractual requirements are in place.






## Credit Reference Agencies Notice Explained

We are required where possible to share details of your account with us (including your personal data with the Credit Reference Agencies) on a recurring basis to promote responsible lending. The three Credit Reference Agencies we report information to are Call Credit, Experian and Equifax. We also obtain personal data from the Credit Reference Agencies for the following purposes:

-  To recover debts
-  To trace your whereabouts
-  To prevent fraud and other financial crime
-  To validate personal information that may be passed to us from you or other legitimate sources
-  To inform us on the best way to engage with you

The type of information that may be exchanged is outlined below:



-  Full Name
-  Full address including history of addresses
-  Date of Birth
-  Financial Situation
-  Personal details of any person you are financially linked with.

The Credit Reference Agencies may share the data that we provide to them with other organisations. You can find out more about the three main Credit Reference Agencies and the Credit Reference Agencies Information Notice on the websites below:

**Call Credit** – <https://www.callcredit.co.uk/crain>

**Experian** – <http://www.experian.co.uk/crain/index.html>






**Equifax** – <https://www.equifax.co.uk/crain.html>

## Sharing information to prevent crime or harm

We have systems that protect our customers and ourselves against fraud and other crime, including money laundering. Customer information can be used to prevent crime and trace those responsible.

As part of our ongoing monitoring of your account and to service your account, we have legal obligations that require us to obtain certain personal details to validate your identity, both at the beginning of your relationship with us and throughout it. If false or inaccurate information is provided by you, or if fraud or another financial crime is identified or suspected, we will obtain publicly available information, such as media reports or regulator publications, which may contain personal details about you such as any criminal convictions. If fraud or another financial crime is identified or suspected, we will be required to pass your personal data to fraud prevention agencies or other authorities for the prevention and/or detection of financial crime. We have legal obligations to pass this data to fraud prevention agencies and this is our legal basis for sharing personal data in this way.

The agencies we may share your personal data with are:

-  CIFAS
-  The National Crime Agency
-  Action Fraud
-  The Police
-  Her Majesty's Revenue and Customs

If we have reason to believe that you are in prison, we will obtain publicly available information, which may contain some of your personal data such as the name of the prison you are in and the



length of your sentence, to update the information we hold about you and to manage your account in the most appropriate way.

If we have reason to believe that you are in immediate danger, we will pass your personal data including any details we have about your physical or mental health, to the police and other emergency services in order to protect your vital interests.

## How can you manage the data?

You are able to access and manage much of the data we hold that allows us to administer your account and provide our services to you. You can do this via accessing the customer portal of our sister company, Opos Limited, by visiting the following website - <https://www.oposlimited.com/customerAccess/>

Once you have accessed your online account you can edit and update your personal data, provide us with updated and accurate financial data and download statements and other account specific documentation.

## Your Rights

### Object to Processing

You have the right to object to us processing your data if the processing itself is an unwarranted interference with your interests or rights. You can find out more about how and why we process your personal data in the section entitled 'How we use your personal data'.

If you still believe that you have a valid and unjustifiable reason to exercise this right, you can contact us on the details below.

### Restrict Processing

If you believe we are processing your personal data unlawfully or you believe that we no longer need your personal data, you have the right to request that we restrict processing of your personal data. To make such a request, please contact us on the details below.





## Right to be Forgotten

Under Data Protection legislation you have the right to request that we delete your personal data if you believe we no longer have a lawful basis to process it. If you feel that we should not be processing your personal data, you can submit a request using the below details.

## Right to Rectification

Upon obtaining personal data we conduct checks to validate that it is accurate as we are reliant on you and other third parties to provide us with correct information. If you believe that any of the personal data we hold for you is incorrect, it is important that you make us aware as soon as possible, for example if you have a new telephone number or have moved address.

## Automated Profiling and Decision-Making

At times, we may use the personal data we hold on you to conduct profiling and automated decisions, for example, to predict how likely you are able to pay back your outstanding balance or how best to engage with you.

The new Data Protection Act stipulates that where profiling or automated decision making produces a legal affect or similarly significantly affects you, we need to make you aware of your right to object. We do not believe that the profiling and decision-making that we may conduct has either a legal effect or similarly significant impact on you, but we will keep such processes and controls under review and update this notice accordingly.

If you have any further questions regarding any of the above, please contact our Data Protection Office on [dataprotection@oposlimited.com](mailto:dataprotection@oposlimited.com)

## Right to Portability

You have the right to request that we transfer personal data you have provided to us either to yourself or to another data controller. You can exercise the right to data portability by contacting us on the below details:

**Email:** [dataprotection@oposlimited.com](mailto:dataprotection@oposlimited.com)

**Writing:** 2<sup>nd</sup> Floor, 15 Meadowbank Street, Dumbarton, G82 1JR



## Accessing Your Data

You have the right to see the personal data relating to you that we hold. As a data controller we will also ensure that we provide any additional personal data that any of our data processors may hold about you.

We take the protection of your personal data seriously and we reserve the right to request proof of your identity before supplying any personal data.

Once we have validated your identity, we will respond to your request within one calendar month. We will typically provide your data to you in an easily accessible, electronic format. If, however, you wish to receive it in a different format, for example as a printed document then please let us know.


In order to make this request, please contact us on the below details:


**Email:** [dataprotection@oposlimited.com](mailto:dataprotection@oposlimited.com)

**Writing:** 2<sup>nd</sup> Floor, 15 Meadowbank Street, Dumbarton, G82 1JR

## Cookies

Our website operates and collects cookies. A cookie is a small file that is placed on your computers hard disk which may be placed for several reasons, for example:

 Google Analytics, such as analysing the traffic to the website and to speed up access to the website.

 Targeted communications that help us to guide you back to specific pages within our website or reach you via third party websites.

The vast majority of web browsers accept cookies; however, you can manually change your browser settings so that cookies are not accepted. If you do this, you may lose some functionality of our website. For more information about cookies and how to disable them please go to [www.aboutcookies.org](http://www.aboutcookies.org)

We can confirm that any cookies placed by us shall not store or collect any personally identifiable information.



## How to Complain

If you would like to make a complaint or have a query about how we use your personal data, you can contact us on the below details:

**Email:** [dataprotection@oposlimited.com](mailto:dataprotection@oposlimited.com)

**In Writing:** Data Protection Officer, 2<sup>nd</sup> Floor, 15 Meadowbank Street, Dumbarton, G82 1JR

If you are unhappy about how we have handled your complaint, you have the right to complain to the Information Commissioners Office:

**Website:** <https://ico.org.uk/concerns/>

**Call:** 0303 123 1113

## CRAIN

For more information on the Credit Reference Agency Information Notice, or CRAIN, please see the below information.

**CREDIT REFERENCE AGENCY INFORMATION NOTICE  
(CRAIN)**

**Version: 1    Adopted: 23<sup>rd</sup> October 2017**

**NOTE: The information in this document will be effective from the Adopted Date set out above, except for the information in Sections 9, (data portability right), 11 and 12. These Sections provide information on new rights that will only come into effect from the 25<sup>th</sup> May 2018, which is the effective date of the General Data Protection Regulation (or the GDPR).**

This document describes how the three main credit reference agencies Callcredit, Equifax and Experian, (also called “credit reference agencies” or “CRAs” in this document) each use and share personal data (also called ‘bureau data’) they receive about you and/or your business that is part of or derived from or used in credit activity.

**Please note:** you shouldn’t think of this document as a complete record of all the personal data each CRA may hold and process, as each has a number of different business functions running through it. To find out more about each CRA’s other businesses, services and personal data processing, go to the website links provided at Section 14 below.

This document answers these questions:

1. Who are the credit reference agencies and how can I contact them?
2. What do credit reference agencies use personal data for?
3. What are the credit reference agencies’ legal grounds for handling personal data?
4. What kinds of personal data do credit reference agencies use, and where do they get it?
5. Who do credit reference agencies share personal data with?
6. Where is personal data stored and sent?
7. How long is personal data kept for?
8. Do the credit reference agencies make decisions about me or profile me?
9. What can I do if I want to see the personal data held about me? Do I have a ‘data portability’ right in connection with my bureau data?
10. What can I do if my personal data is wrong?
11. Can I object to the use of my personal data and have it deleted?
12. Can I restrict what the credit reference agencies do with my personal data?
13. Who can I complain to if I’m unhappy about the use of my personal data?
14. Where can I find out more?

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**You have the right to object to credit reference agencies using your personal data.  
Please see Section 11 to find out more.**

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## 1. WHO ARE THE CREDIT REFERENCE AGENCIES AND HOW CAN I CONTACT THEM?

There are three main credit reference agencies in the UK who deal with people's personal data.

Each is regulated by the Financial Conduct Authority ("FCA") and authorised to conduct business as a credit reference agency.

Credit reference agency	Contact details
Callcredit Limited	<p><b>Post:</b> Callcredit Information Group, One Park Lane, Leeds, West Yorkshire LS3 1EP.</p> <p><b>Web Address:</b> <a href="http://www.callcredit.co.uk/consumer-solutions/contact-us">http://www.callcredit.co.uk/consumer-solutions/contact-us</a></p> <p><b>Email:</b> consumer@callcreditgroup.com</p> <p><b>Phone:</b> 0330 024 7574</p>
Equifax Limited	<p><b>Post:</b> Equifax Ltd, Customer Service Centre PO Box 10036, Leicester, LE3 4FS.</p> <p><b>Web Address:</b> <a href="https://www.equifax.co.uk/Contact-us/Contact_Us_Personal_Solutions.html">https://www.equifax.co.uk/Contact-us/Contact_Us_Personal_Solutions.html</a></p> <p><b>Email:</b> www.equifax.co.uk/ask</p> <p><b>Phone:</b> 0333 321 4043 or 0800 014 2955</p>
Experian Limited	<p><b>Post:</b> Experian, PO BOX 9000, Nottingham, NG80 7WF</p> <p><b>Web Address:</b> <a href="http://www.experian.co.uk/consumer/contactus/index.html">http://www.experian.co.uk/consumer/contactus/index.html</a></p> <p><b>Email:</b> consumer.helpservice@uk.experian.com</p> <p><b>Phone:</b> 0344 481 0800 or 0800 013 8888</p>

## **2. WHAT DO CREDIT REFERENCE AGENCIES USE PERSONAL DATA FOR?**

### **(a) CREDIT REFERENCE AGENCY PROCESSING**

Credit reference agencies receive personal data about you that's part of, derived from or used in credit activity. Different lenders and creditors will use different CRA services, and may not use all the services described here, so we recommend you also check your lender and creditor's privacy policy(s) as well as this document.

#### **Credit reporting and affordability checks**

Each CRA uses the data it gathers to provide credit reporting services to its clients.

Organisations use credit reporting services to see the financial position of people and businesses. For example, a lender or creditor may check with a credit reference agency when an individual or business applies for credit and the lender or creditor needs to make a credit decision taking into account that person or business's credit history.

Affordability checks help organisations understand whether people applying for credit or financial products (like loans) are likely to afford the repayments.

These activities help promote responsible lending, prevent people and businesses from getting into more debt than they can afford, and reduce the amount of unrecoverable debt and insolvencies.

#### **Verifying data like identity, age and residence, and preventing and detecting criminal activity, fraud and money laundering**

The CRAs also use bureau data to provide verification, crime prevention and detection services to their clients, as well as fraud and anti-money-laundering services. For example:

- When a person applies to an organisation for a product or service, the organisation might ask them to answer questions about themselves, and then check the answers against the data held by the CRAs to see if they're correct. This helps confirm the person they are dealing with is not trying to commit identity theft or any other kind of fraud.
- Where some products and services are only available to people of a certain age, organisations can check whether the person they're dealing with is eligible by searching the CRAs databases.
- If a person applies for credit the lender or creditor might check the personal data that person gives them against the personal data held by CRAs to try and prevent fraud.
- Government and quasi-government bodies can use data held by CRAs to check whether people are entitled to certain benefits and to help recover unpaid taxes, overpaid benefits and similar debts.

#### **Account management**

CRAs supply information including personal data to their clients for account management, which is the ongoing maintenance of the client organisation's relationship with its customers. This could include activities designed to support:

- data accuracy (such as data cleansing - where bureau data can be used to clean or update lender data. This might involve checks that data is in the right format or fields, or to correct spelling errors);
- clients' ongoing account management activities. (For example, data sharing with lenders and creditors so clients can make decisions relating to credit limit adjustments, transaction authorisations, and to identify and manage the accounts of customers at risk, in early stress, in arrears, or going through a debt collection process, or to confirm that assets are connected to the right person).

### **Tracing and debt recovery**

CRAs provide services that allow organisations to use bureau data to trace people who've moved. Each CRA also offers a service that allows people to be reunited with assets (like an old dormant savings account they've lost contact with)

CRAs may also use personal data to support debt recovery and debtor tracing. An example of a tracing activity could be when a person owes money and moves house without telling the creditor where they've gone. The creditor may need help finding that person to claim back what they're owed. CRAs help find missing debtors by providing creditors with updated addresses and contact details.

### **Screening**

CRAs can use some personal data to screen people out of marketing lists. For example, where a person's financial history suggests they're unlikely to be accepted for or afford a particular product, the relevant organisation can use that data to opt out of sending them information about that product. This helps stop people receiving irrelevant marketing, and saves organisations the costs of inappropriate marketing and unsuccessful applications.

The data isn't used to identify, select and send marketing materials to potential new customers.

### **Statistical analysis, analytics and profiling**

CRAs can use and allow the use of personal data for statistical analysis and analytics purposes, for example, to create scorecards, models and variables in connection with the assessment of credit, fraud, risk or to verify identities, to monitor and predict market trends, to allow use by lenders for refining lending and fraud strategies, and for analysis such as loss forecasting.

### **Database activities**

CRAs carry out certain processing activities internally which support databases effectiveness and efficiencies. For example:

- Data loading: where data supplied to the CRAs is checked for integrity, validity, consistency, quality and age help make sure it's fit for purpose. These checks pick up things like irregular dates of birth, names, addresses, account start and default dates, and gaps in status history.
- Data matching: where data supplied to the CRAs is matched to their existing databases to help make sure it's assigned to the right person, even when there are discrepancies like spelling mistakes or different versions of a person's name. CRAs use the personal

data people give lenders together with data from other sources to create and confirm identities, which they use to underpin the services they provide.

- Data linking: as CRAs compile data into their databases, they create links between different pieces of data. For example, people who appear financially associated with each other may be linked together, and addresses where someone has previously lived can be linked to each other and to that person's current address.
- Systems and product testing: data may be used to help support the development and testing of new products and technologies.

Each CRA has its own processes and standards for data loading, data matching and other database processing activities.

### **Other uses with your permission**

From time to time CRAs may use the personal data they hold or receive about you for other purposes where you've given your consent.

### **Uses as required by or permitted by law**

Your personal data may also be used for other purposes where required or permitted by law.

### **Other activities**

Each credit reference agency also has other lines of business not described in this document. For example, each offers its own marketing services and direct-to-consumer services. Each CRA will provide separate information as appropriate for any services that fall outside of scope of this document.

## **(b) WHAT IS A FRAUD PREVENTION AGENCY?**

A Fraud Prevention Agency (FPA) collects, maintains and shares, data on known and suspected fraudulent activity. All three credit reference agencies also act as FPAs.

## **(c) FRAUD PREVENTION AGENCY PROCESSING**

### **How data may be used by fraud prevention agencies:**

FPAs may supply the data received from lenders and creditors about you, your financial associates and your business (if you have one) to other organisations (please see Section 5 for more information on these organisations). This may be used by them and the CRAs to: -

- Prevent crime, fraud and money laundering by, for example;
  - checking details provided on applications for credit and credit related or other products and services
  - Managing credit and credit related accounts or products or services
  - Cross-checking details provided on proposals and claims for all types of insurance



- Checking details on applications for jobs or as part of employment
- Verify your identity if you or your financial associate applies for facilities including all types of insurance proposals and claims
- Trace your whereabouts and recover debts that you owe
- Conduct other checks to prevent or detect fraud
- Undertake statistical analysis and system testing
- Your personal data may also be used for other purposes where you've given consent or where required or permitted by law

### 3. WHAT ARE THE CREDIT REFERENCE AGENCIES' LEGAL GROUNDS FOR HANDLING PERSONAL DATA?

#### Legitimate interests

The UK's data protection law allows the use of personal data where its purpose is legitimate and isn't outweighed by the interests, fundamental rights or freedoms of data subjects.

The law calls this the Legitimate Interests condition for personal data processing.

The Legitimate Interests being pursued here are:

Interest	Explanation
Promoting responsible lending and helping to prevent over-indebtedness.	Responsible lending means that lenders only sell products that are affordable and suitable for the borrowers' circumstances. CRAs help ensure this by sharing personal data about potential borrowers, their financial associates where applicable, and their financial history. A comprehensive range of measures exists in the UK to underpin the balance so the legitimate interests aren't outweighed by the interests, fundamental rights and freedoms of data subjects. Further explanation about this balance is set out below.
Helping prevent and detect crime and fraud and anti-money laundering services and verify identity	CRAs provide identity, fraud and anti-money laundering services to help clients meet legal and regulatory obligations, and to the benefit of individuals to support identity verification and support of detection/ prevention of fraud and money-laundering.
Supporting tracing and collections	CRAs provide services that support tracing and collections where there is a legitimate interest in the client conducting activity to find its customer and to recover the debt, or to reunite, or confirm an asset is connected with, the right person.
Complying with and supporting compliance with legal and regulatory requirements	CRAs have to comply with various legal and regulatory requirements. CRA services also help other organisations comply with their own legal and regulatory obligations. One example, many kinds of financial services are regulated by the Financial Conduct Authority or the Prudential Regulation Authority, who impose obligations to check that financial products are suitable for the people they are being sold to. The credit reference agencies provide data to help with those checks.

The CRAs use of this personal data is subject to an extensive framework of safeguards that help make sure that people's rights are protected. These include the information given to people about how their personal data will be used and how they can exercise their rights to obtain their personal data, have it corrected or restricted, object to it being processed, and complain if they're dissatisfied. These safeguards help sustain a fair and appropriate balance so the CRAs' activities don't override the interests, fundamental rights and freedoms of data subjects.

#### 4. WHAT KINDS OF PERSONAL DATA DO CREDIT REFERENCE AGENCIES USE, AND WHERE DO THEY GET IT?

Each credit reference agency obtains and uses information from different sources, so they often hold different information and personal data from each other. However, most of the personal data they do hold falls into the categories outlined below from the sources described.

<b>Information type</b>	<b>Description</b>	<b>Source</b>
<b>Identifiers</b>	<p>CRAs hold personal data that can be used to identify people, like their name, date of birth, and current and previous addresses.</p> <p>They may also hold business data.</p>	<p>This personal data is included with all the other data sources. For example, names, addresses and dates of birth are attached to financial account data so it can be matched and associated with all the other data the CRA holds about the relevant person.</p> <p>Data about UK postal addresses is also obtained from sources like Royal Mail.</p> <p>CRAs also obtain copies of the electoral register containing the names and addresses of registered voters from local authorities across the UK in accordance with specific legislation.</p> <p>CRAs also have access to public data sources on people and businesses, including from the Insolvency Service, Companies House and commercial business directories.</p>
<b>Lender provided and creditor provided data</b>	<p>CRAs receive information that includes personal data from credit applications and about the financial accounts that people hold from the organisations that maintain those accounts. This includes personal data about bank accounts, credit card accounts, mortgage accounts and other agreements that involve a credit arrangement like utilities and communications contracts (including mobile and internet).</p> <p>The collected data includes the name of the organisation the account is held with, the date it was opened, the account number, the amount of debt</p>	<p>Banks, building societies, lenders and other financial services providers supply data including personal data about peoples' financial accounts and repayments. Other credit providers, such as hire purchase companies, utilities companies, mobile phone networks, retail and mail order, and insurance companies also provide this data when they agree credit facilities with their customers.</p>

	<p>outstanding (if any), any credit limits and the repayment history on the account, including late and missing payments.</p> <p>CRA's may also receive data about financial accounts like current accounts, credit cards or loans and may receive payments information that businesses hold from the organisations who maintain those accounts.</p>	<p>These organisations may also provide Cifas markers when they suspect fraud. You can find out more about Cifas markers in the Fraud prevention indicators section below.</p>
<b>Court judgments, decrees and administration orders</b>	<p>CRA's obtain data about court judgments that have been issued against people. This may include, for example, the name of the court, the nature of the judgment, how much money was owed, and whether the judgment has been satisfied.</p>	<p>The government makes court judgments and other decrees and orders are made publicly available through statutory public registers. These are maintained by Registry Trust Limited, which also supplies the data on the registers to the CRA's.</p>
<b>Bankruptcies, Individual Voluntary Arrangement (IVAs), debt relief orders and similar events</b>	<p>CRA's obtain data about insolvency related events that happen to people and may also obtain this type of data about businesses. This includes data about bankruptcies, IVAs and debt relief orders, and in Scotland it includes sequestrations, trust deeds and debt arrangement schemes. This data includes the start and end dates of the relevant insolvency or arrangement.</p>	<p>CRA's obtain this data from The Insolvency Service, the Accountant in Bankruptcy, The Stationary Office and Northern Ireland's Department for the Economy – Insolvency Service, the London, Belfast and Edinburgh Gazettes.</p> <p>Business bankruptcies data are obtained from the London, Belfast and Edinburgh Gazettes.</p>
<b>Fraud prevention indicators</b>	<p>The CRA's are all Fraud Prevention Agencies (FPAs) and members of Cifas (<a href="http://www.cifas.org.uk">www.cifas.org.uk</a>), an organisation that collects and shares data about suspected fraud. When an organisation believes it's detected fraud or an attempted fraud, it may put a Cifas marker on the relevant person's credit file to warn other lenders this identity may have been used fraudulently. This helps to prevent any further fraud and protect innocent consumers.</p>	<p>These fraud indicators are shared among Cifas members through the database held by Cifas.</p>
<b>Gone Away Information Network indicators</b>	<p>Some CRA's are members of the Gone Away Information Network (GAIN), a database of people with overdue outstanding debts who've moved without giving their lender a forwarding</p>	<p>CRA's obtain GAIN data from lenders, and additional address data is obtained from Royal Mail.</p>

	address. Data from GAIN, including the persons' old addresses and any known new addresses, may be recorded on the relevant credit file.	
<b>Search footprints</b>	When an organisation uses a CRA to make enquiries about a particular person, the CRA keeps a record of that enquiry which appears on the person's credit file. This includes the name of the organisation, the date, and the reason they gave for making the enquiry.	CRAs generate search footprints when enquiries are made about a particular person. The organisation making the enquiry provides some of the data in the footprint (such as the reason for the enquiry).
<b>Scores and ratings</b>	<p>CRAs may use the data they receive to produce scores and ratings including credit, affordability, risk, fraud and identity, screening, collections and insolvency scores about people and businesses and credit ratings about people. Organisations that obtain data from CRAs may use it together with other data to provide their own scores and ratings.</p> <p>Credit scores and credit ratings are produced from data like the person's credit commitments, whether they have made repayments on time, whether they've any history of insolvencies or court judgments, and how long they've lived at their current address. Each CRA has its own way of calculating credit scores, and most lenders have their own scoring systems too.</p>	<p>The CRAs produce their scores and ratings using the data available to them.</p> <p>Similarly, other organisations create their own scores and ratings from data obtained from the CRAs as well as other sources.</p>
<b>Other supplied data</b>	CRAs receive data from reputable commercial sources. This includes phone number data and politically exposed persons (PEPs) and sanctions data.	CRAs receive this data from reputable commercial sources as agreed from time to time.

<p><b>Other derived data</b></p>	<p>The CRAs produce some other kinds of data themselves to manage their databases efficiently and ensure that all the relevant data about a person is on the correct credit file.</p> <p><b>Address links:</b> when a CRA detects that a person seems to have moved house, it may create and store a link between the old and new address.</p> <p><b>Aliases:</b> when a CRA believes that a person has changed their name, it may</p>	<p>The CRAs generate this data from the data sources available to them.</p>
	<p>record the old name alongside the new one.</p> <p><b>Financial associations and linked people:</b> when a CRA believes two or more people are financially linked with each other (for example, because they have a joint account), it may record that fact.</p> <p><b>Flags and triggers:</b> through analysis of other data, CRAs can add indicators to credit files. These aim to summarise particular aspects of a person's financial situation. For example, a Cifas flag protects those who've been flagged as subject to fraud, and invites additional checks as a defence against further fraud risk.</p>	
<p><b>Data provided by the relevant people</b></p>	<p>People sometimes provide data directly to CRAs. For example, they can ask a CRA to add a supplementary statement to their credit file if they want to explain the reason for a particular entry on the file. The right to do this is explained in Section 10 below.</p>	<p>This data is provided directly by the relevant people.</p>

## **5. WHO DO CREDIT REFERENCE AGENCIES SHARE PERSONAL DATA WITH?**

This section describes the types of recipient each credit reference agency can share data with. Each CRA has its own access control processes in place. For example, before it shares data with any another organisation, to check that organisation's identity and, where applicable, to confirm where it is registered with regulators.

In many cases where an organisation uses CRA services, there will be information accessible, for example, from website or at point of application or service, to explain that an organisation may check your data with a credit reference agency (for things like identity authentication and fraud checking). In some cases, some organisations have the ability to compel CRAs, by law, to disclose certain data for certain purposes.

### **Members of the credit reference agency data sharing arrangements**

Each organisation that shares financial data with the CRAs is also entitled to receive similar kinds of financial data contributed by other organisations. These organisations are typically banks, building societies, and other lenders, as well as other credit providers like utilities companies and mobile phone networks.

### **Fraud Prevention Agencies**

If a CRA believes that fraud has been or might be committed, it may share data with fraud prevention agencies (FPAs). These FPAs collect, maintain and share data on known and suspected fraudulent activity. Some CRAs also act as FPAs.

### **Resellers, distributors and agents**

CRAs sometimes use other organisations to help provide their services to clients and may provide personal data to them in connection with that purpose.

### **Other organisations**

Some data, where permitted in accordance with industry rules or where it's public information, can be shared with other organisations that have a legitimate use for it - ID verification services, for example.

### **Public bodies, law enforcement and regulators**

The police and other law enforcement agencies, as well as public bodies like local and central authorities and the CRAs' regulators, can sometimes request the credit reference agencies to supply them with personal data. This can be for a range of purposes such as preventing or detecting crime, fraud, apprehending or prosecuting offenders, assessing or collecting tax, investigating complaints or assessing how well a particular industry sector is working.

### **Processors**

The CRAs may use other organisations to perform tasks on their own behalf (for example, IT service providers and call centre providers).

### **Individuals**

People are entitled to obtain copies of the personal data the CRAs hold about them. You can find out how to do this in Section 9 below.



## 6. WHERE IS PERSONAL DATA STORED AND SENT?

The three CRAs are all based in the UK, and keep their main databases there. They may also have operations elsewhere inside and outside the European Economic Area, and personal data may be accessed from those locations too. In both cases, the personal data use in those locations is protected by European data protection standards.

Sometimes the CRAs will need to send or allow access to personal data from elsewhere in the world. This might be the case, for example, when a processor or client of the CRA is based overseas or uses overseas data centres.

While countries in the European Economic Area all ensure a high standard of data protection law, some parts of the world may not provide the same level of legal protection when it comes to personal data. As a result, when a CRA does send personal data overseas it will make sure suitable safeguards are in place in accordance with European data protection requirements, to protect the data. For example, these safeguards might include:

- Sending the data to a country that's been approved by the European authorities as having a suitably high standard of data protection law. Examples include the Isle of Man, Switzerland and Canada.
- Putting in place a contract with the recipient containing terms approved by the European authorities as providing a suitable level of protection.
- Sending the data to an organisation which is a member of a scheme that's been approved by the European authorities as providing a suitable level of protection. One example is the Privacy Shield scheme agreed between the European and US authorities. Another example is Binding Corporate Rules.

If your data has been sent overseas like this, you can find out more about the safeguards used from the CRAs, whose contact details are in Section 1 above.

## **7. FOR HOW LONG IS PERSONAL DATA RETAINED?**

### **Identifiers**

Identification data like names and addresses are kept while there's a continuing need to keep it. This need will be assessed on a regular basis, and data that's no longer needed for any purpose will be disposed of.

### **Financial accounts and repayment data**

Data about live and settled accounts is kept on credit files for six years from the date they're settled or closed. If the account is recorded as defaulted, the data is kept for six years from the date of the default.

### **Court judgments, decrees and administration orders**

Generally, court judgments and other decrees and orders are kept on credit files for six years from the date of the judgment, decree or order. But, they can be removed if the debt is repaid within one calendar month of the original date or if the judgment is set aside or recalled by the courts.

### **Bankruptcies, IVAs, debt relief orders and similar events**

Data about bankruptcies, IVAs and other insolvency-related events and arrangements are usually kept on credit files for six years from the date they begin. This period is extended if they last longer than six years. Some data, such as a bankruptcy restrictions order, can also remain on the credit file for longer than six years.

Although the start of these events is automatically reported to the CRAs, the end (such as a discharge from bankruptcy or completion of an IVA) might not be. This is why people are advised to contact the CRAs when this happens to make sure their credit files are updated accordingly.

### **Search footprints**

The CRAs keep search footprints for different lengths of time. Experian and Equifax keep most search footprints for one year from the date of the search, although they keep debt collection searches for up to two years. Callcredit keeps search footprints for two years from the date of the search.

### **Scores and ratings**

CRAs may keep credit scores and credit ratings for as long as they keep a credit file about the relevant person.

### **Derived or created data**

CRAs also create data, and links and matches between data. For example, CRAs keep address links and aliases for as long as they're considered relevant for credit referencing purposes.

Links between people are kept on credit files for as long as the CRA believes those individuals continue to be financially connected. When two people stop being financially connected, either

can write to the CRA and ask for the link to be removed. The CRA will then follow a process to check the people are no longer associated with each other.

#### **Other data**

Other third party supplied data such as politically exposed persons (PEPs) and sanctions data and mortality data will be stored for a period determined by criteria such as the agreed contractual terms.

#### **Archived data**

CRA's may hold data in an archived form for longer than the periods described above, for things like research and development, analytics and analysis, (including refining lending and fraud strategies, scorecard development and other analysis such as loss forecasting), for audit purposes, and as appropriate for establishment, exercise or defence or legal claims. The criteria used to determine the storage period will include the legal limitation of liability period, agreed contractual provisions, applicable regulatory requirements and industry standards.

## **8. DO THE CREDIT REFERENCE AGENCIES MAKE DECISIONS ABOUT ME OR PROFILE ME?**

### **Lending decisions**

CRA's don't tell a lender if it should offer you credit – this is for the lender to decide. Credit reference agencies provide data and analytics that help lenders make decisions about lending. The scoring tools and data CRA's provide may profile you, and are often a valuable tool in the lender's overall processes and with the criteria they use to make their decisions. A lender's own data, knowledge, processes and practices will also generally play a significant role in that lender's business decisions - and lender decisions will always remain for lenders to make.

The same analytics from a CRA may lead to different decisions from different lenders, as they can place differing importance on some factors than others. That's why you may receive a "yes" from one lender but a "no" from another.

The data CRA's provide is just one of the things that a lender might take into account when they make a lending decision. The lender might also take into account data provided by the person applying for credit, as well as any other data available to the lender from other sources. Each lender will have its own criteria for deciding whether or not to lend.

### **Scores and ratings**

When requested, CRA's do use the data they obtain to produce credit, risk, fraud, identity, affordability, screening, collection and/or insolvency scores and credit ratings; these are explained in Section 4 above. CRA's don't tell a lender if it should offer you credit – this is for the lender to decide. Each credit reference agency, and each lender, will have its own criteria for how to calculate a credit score, but the following factors will usually have an effect:

- How long the person has lived at their address.
- The number and type of credit agreements and how they use those credit products.
- Whether the person has been late making payments.
- Whether the person has had any court judgments made against them.
- Whether the person has been bankrupt or had an IVA or other form of debt-related arrangement.

The CRA's may provide or make available further information on profiling where necessary from time to time.

## 9. WHAT CAN I DO IF I WANT TO SEE THE PERSONAL DATA HELD ABOUT ME? DO I HAVE A 'PORTABILITY RIGHT' IN CONNECTION WITH MY BUREAU DATA?

### Data access right

You have a right to find out what personal data the credit reference agencies hold about you.

Each CRA provides more information about access rights on their websites.

Callcredit:	To get online information: <a href="http://www.callcredit.co.uk/consumer-solutions/contact-us">http://www.callcredit.co.uk/consumer-solutions/contact-us</a>  To make a request by post: Callcredit Limited, Consumer Services Team, PO Box 491, Leeds, LS3 1WZ
Equifax:	To get online information: <a href="https://www.equifax.co.uk">https://www.equifax.co.uk</a>  To make a request by post: Equifax Ltd, Customer Service Centre, PO Box 10036, Leicester, LE3 4FS.
Experian:	To get online information: <a href="http://www.experian.co.uk/consumer/contact-us/index.html">http://www.experian.co.uk/consumer/contact-us/index.html</a>  To make a request by post: Customer Support Centre, Experian Ltd, PO BOX 9000, Nottingham, NG80 7WF

**NOTE: The information in this document will be effective from the Adopted Date set out on the first page, except for the information in this Section 9 (data portability right), and in Sections 11 and 12. These Sections provide information on new rights that will only come into effect from the 25<sup>th</sup> May 2018, which is the effective date of the General Data Protection Regulation (GDPR).**

### Data portability right

New data protection legislation also contains a right to data portability that may give consumers a right in some data processing contexts, to receive their personal data in a portable format when it's processed on certain grounds, such as consent. This is not a right that will apply to bureau data because this data is processed on the grounds of legitimate interests. To find out more about legitimate interests please go to Section 3 above.

## **10. WHAT CAN I DO IF MY PERSONAL DATA IS WRONG?**

When the CRAs receive personal data, they perform lots of checks on it to try and detect any defects or mistakes. Ultimately, though, the credit reference agencies rely on the suppliers to provide accurate data.

If you think that any personal data a CRA holds about you is wrong or incomplete, you have the right to challenge it. It's worth knowing that the CRA won't have the right to change the data without permission from the organisation that supplied it, so the credit reference agency will need to take reasonable steps to check the data first, such as asking the organisation that supplied it to check and confirm its accuracy.

If the data does turn out to be wrong, the CRA will update its records accordingly. If the CRA still believes the data is correct after completing their checks, they'll continue to hold and keep it - although you can ask them to add a note to your file indicating that you disagree or providing an explanation of the circumstances.

If you'd like to do this, you should contact the relevant CRA using their contact details in section 1 above.

## 11. CAN I OBJECT TO THE USE OF MY PERSONAL DATA AND HAVE IT DELETED?

**NOTE: The information in this document will be effective from the Adopted Date set out on the first page, except for the information in Sections 9, (data portability right), this Section 11 and in Section 12. These Sections provide information on new rights that will only come into effect from the 25<sup>th</sup> May 2018, which is the effective date of the General Data Protection Regulation (GDPR).**

This section helps you understand how to use your data protection rights to object to your personal data being used and how to ask for it to be deleted, in connection with bureau data. To understand these rights and how they apply to the processing of bureau data, it's important to know that the CRAs hold and process personal information in bureau data under the Legitimate Interests ground for processing (see section 3 above for more information about this), and don't rely on consent for this processing.

You have the right to lodge an objection about the processing of your personal data to a CRA. If you want to do this, you should contact the relevant CRA using the contact details set out in section 1 above.

Whilst you have complete freedom to contact a CRA with your objection at any time, you should know that under the General Data Protection Regulation, your right to object doesn't automatically lead to a requirement for processing to stop, or for personal data to be deleted, in all cases.

Please note that, because of the importance of the credit referencing industry to the UK's financial system, and the important purposes the personal data is needed for (like supporting responsible lending, and preventing over indebtedness, fraud and money laundering) it will be very rare that the CRAs do not have compelling, overriding grounds to carry on using the personal data following an objection. In many cases, it won't be appropriate for the CRAs to restrict or to stop processing or delete bureau data, for example, where the result would be to hide a poor credit history that could enable a person or organisation to get credit they otherwise wouldn't be eligible for.

## 12. CAN I RESTRICT WHAT THE CREDIT REFERENCE AGENCIES DO WITH MY PERSONAL DATA?

**NOTE: The information in this document will be effective from the Adopted Date set out on the first page, except for the information in Sections 9, (data portability right), Section 11 and in this Section 12. These Sections provide information on new rights that will only come into effect from the 25<sup>th</sup> May 2018, which is the effective date of the General Data Protection Regulation (GDPR).**

In some circumstances, you can ask credit reference agencies to restrict how they use your personal data. Your rights are set out at Article 18 of the GDPR. You can find the contact details for each CRA in section 1 above.

This is not an absolute right, and your personal data may still be processed where certain grounds exist. This is:

- With your consent;
- For the establishment, exercise, or defence of legal claims;
  - For the protection of the rights of another natural or legal person;
  - For reasons of important public interest.

Only one of these grounds needs to be demonstrated to continue data processing.

The CRAs will consider and respond to requests they receive, including assessing the applicability of these exemptions.

Please note that given the importance of complete and accurate credit records, for purposes including for responsible lending, it will usually be appropriate to continue processing credit report data -in particular, to protect the rights of another natural or legal person, or because it's an important public interest of the union or member state.



### 13. WHO CAN I COMPLAIN TO IF I'M UNHAPPY ABOUT THE USE OF MY PERSONAL DATA?

Each credit reference agency tries to ensure they deliver the best customer service levels but if you're not happy you should contact them so they can investigate your concerns.

<b>Credit reference agency</b>	<b>Contact details</b>
Callcredit Limited	<b>Post:</b> Callcredit Information Group, One Park Lane, Leeds, West Yorkshire LS3 1EP. <b>Email:</b> <a href="mailto:customer.relations@callcreditgroup.com">customer.relations@callcreditgroup.com</a> <b>Phone:</b> 0330 024 7574
Equifax Limited	<b>Post:</b> Equifax Ltd, PO Box 10036, Leicester LE3 4FS <b>Email:</b> <a href="mailto:complaints@equifax.com">complaints@equifax.com</a> <b>Phone:</b> 0333 321 4043 or 0800 014 2955
Experian Limited	<b>Post:</b> Experian, PO BOX 8000, Nottingham, NG80 7WF <b>Email:</b> <a href="mailto:complaints@uk.experian.com">complaints@uk.experian.com</a> <b>Phone:</b> 0344 481 0800 or 0800 013 8888

If you're unhappy with how the CRA has investigated your complaint, you have the right to refer it to the Financial Ombudsman Service (Ombudsman) for free. The Ombudsman is an independent public body that aims to resolve disputes between consumers and businesses like CRAs. You can contact them by:

1. Phone on 0300 123 9 123 (or from outside the UK on +44 20 7964 1000)
2. Email on [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)
3. Writing to Financial Ombudsman Service, Exchange Tower London E14 9SR
4. Going to their website at [www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)

You can also refer your concerns to the Information Commissioner's Office (or ICO), the body that regulates the handling of personal data in the UK. You can contact them by:

1. Phone on 0303 123 1113
2. Writing to them at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF
3. Going to their website at [www.ico.org.uk](http://www.ico.org.uk)

#### **14. WHERE CAN I FIND OUT MORE?**

The work credit reference agencies do is very complex, and this document is intended to provide only a concise overview of the key points. More information about each CRA and what it does with personal data is available at the following locations:

- Callcredit: <http://www.callcredit.co.uk/consumer-solutions>
- Equifax: <https://www.equifax.co.uk/index.html>
- Experian: <https://www.experian.co.uk/>

The Information Commissioner's Office also publishes advice and information for consumers in its Credit Explained leaflet, available at <https://ico.org.uk/media/for-the-public/documents/1282/credit-explained-dp-guidance.pdf>.