
Privacy Policy

As a result of Data Protection legislation and associated regulation, you are entitled to be assured that your personal data is collected, processed and stored for specific purposes and that this is done so securely and confidentially. We, as Data Controllers, have responsibilities under Data Protection laws to inform you of the data we collect, why we collect it, how we process it and with whom it will be shared.

This Policy sets out the obligations of Bath and West Finance (referred to as “the Company”, we”, “us” and “our”) regarding data protection and the rights of borrowers, investors and business contacts (“you” or “your”) in respect of your personal data under the General Data Protection Regulation.

Should you require any further details or wish to enquire on the details we hold on you please contact the firm’s Data Protection Representative via the following:

Email: enquiries@bathandwestfinance.co.uk

Post: Data Protection Representative, Bath and West Finance, Bury Manor Offices, Woodcroft Lane, Wick, Bristol, BS30 5SH

Tel: 0117 937 4333

WHAT DATA WE COLLECT

We will only collect such data that is needed to underwrite your loan application and performance of contracts with us. This includes:

- Your name
- Your current and previous address(es)
- Your date of birth
- Your contact details such as Phone number and Email address
- Details on your financial profile including your income and expenditures
- Your identification documents (e.g. copies of passport or drivers’ licence)
- Other relevant details required to establish your identity

- Other relevant information pertinent to the application for a loan and our underwriting of the repayment probability
- Any other information required to ensure performance of any contracts with us

The basis upon which our Firm will deal with Your Personal Data

When we speak with you about your loan requirements we do so on the basis that both parties are entering a contract for the supply of services.

In order to perform that contract, and to arrange the products you require, we have the right to use Your Personal Data for the purposes detailed below.

Alternatively, either in the course of initial discussions with you or when the contract between us has come to an end for whatever reason, we have the right to use Your Personal Data provided it is in our legitimate business interest to do so and your rights are not affected. For example, we may need to respond to requests from loan lenders, insurance providers and our regulators relating to the advice we have given to you, or to make contact with you to seek feedback on the service you received.

On occasion, we will use Your Personal data for contractual responsibilities we may owe our regulator The Financial Conduct Authority, or for wider compliance with any legal or regulatory obligation to which we might be subject. In such circumstances, we would be processing Your Personal Data in order to meet a legal, compliance or other regulatory obligation to which we are subject.

How we collect and obtain your personal information

We may collect your personal information directly from you a number of ways, including:

- when you apply for a product on our website, through a postal application or direct with one of our employees;
- when you provide it on-line or by any other method of communication, for example, on "contact us" forms, or when you provide it through the course of our relationship, for example, if you inform us of a change in your circumstances or if you make a subsequent application to us (for example, an application for another of our products); and
- technical information, including the Internet Protocol (IP) address used to connect to the internet, may be collected from you when you visit our website.

We may obtain your personal information indirectly from third parties in the following ways:

- through one of our partner organisations (for example, a credit broker), on their website, or if you visit their office or if they visit your home;
- following an introduction to us by another third party, such as an accountancy firm, law firm or management consultancy;
- if another person provides your information to us when they apply to obtain a product from us:
 - on your behalf;
 - that is to be held jointly with you;
 - on behalf of a business, charity, trust or other organisation of which you are a director, shareholder, owner, trustee or beneficiary (as applicable); or
 - and have nominated you as a guarantor under our agreement with them, or to provide any other security, or informed us that you are a donor or lender of any deposit monies or occupier of any security property;
- from fraud prevention agencies, credit reference agencies, Companies House.
- if you have a credit agreement with another lender and we buy it from that lender (for example, if we buy a portfolio of credit agreements and your credit agreement is included within that portfolio).

If you are applying to us through a third party, then they should have provided you with their own privacy notice in order to tell you (whether online or in person) how they may process your personal information.

They should have also told you that credit reference and fraud prevention agency checks will be performed

before we consider your application more fully and that your personal information is being shared with us for the purposes and uses set out in this privacy notice. If the third party did not tell you this, then you should let us know immediately by contacting our Data Protection Officer using the contact information set-out in the 'Introduction' section of this privacy notice.

*WITH WHOM DO WE
SHARE YOUR DATA*

Your data will be shared with other, external data processors to assist us in providing you with finance. We will also provide details of each applicant, guarantor, your loan and project to anyone assisting with our underwriting or loan monitoring processes including but not limited to:

- Credit Reference Agencies (CRAs)
- Fraud Prevention Agencies
- Statutory Bodies on their lawful request, e.g. NCA, police forces
- External funders
- Valuers
- Solicitors

CRAS

CRAs maintain credit profile data on consumers within the United Kingdom. As part of the application process, your details will be shared with the CRA in order that we can view your credit history and profile. This provides details on loans, credit accounts, personal finance and utilities that you maintain or have maintained displaying how you have managed their repayments. While this informs our decision on providing you with finance, this is not the sole criteria for our decision.

In certain circumstances your repayment profile with Bath and West Finance may be provided to the CRAs for inclusion on your credit profile, this includes any outstanding balance and the frequency and maintenance of scheduled repayments.

An association between joint applicants or between you and any named partner/spouse will be created at the credit reference agency. This will link your financial records, each of which will be taken into account in all future applications by either or both of you. If an association already exists then your application will be assessed with reference to these associated records. This situation will continue until one of you successfully files a disassociation at the credit reference agency.

FRAUD PREVENTION AGENCIES

As a provider of credit to individuals and businesses, Bath and West Finance also has an obligation to ensure against fraud activities. As a result, we will share your data with certain Fraud Prevention Agencies. These agencies maintain a database detailing those individuals who have perpetrated or have attempted to perpetrate fraud against agency members when making an application in the past. We will submit your details to these agencies for them to perform a search match against your details.

Where we identify any fraud or potential fraud perpetrated by you against Bath and West Finance, we will provide details of this to the Agencies for their inclusion on their database. This will be available to those other financial institutions who subscribe to the Agency and with whom you submit other applications for finance.

Decisions that Bath and West Finance make are not solely based on information that we receive in these circumstances but will result in our requesting further details from you to clarify the issues that may be raised.

EXTERNAL FUNDERS

In some circumstances, your data will be shared with our external funders in order for them to assess our compliance with any funding arrangements we may have.

VALUERS

Your personal data will be submitted to a surveyor to carry out a valuation on your property. The data passed will only consist of sufficient information they require in order to carry out this specific function.

SOLICITORS

As part of the loan process, we will pass certain data to solicitors acting on behalf of the company. These details will only be shared to facilitate the completion of a loan and the management of the transfer of funds to that

solicitor acting on your behalf. We will also share certain data with our solicitors for the performance of the contract with us.

Statutory Bodies

We have requirements, where requested by other statutory bodies, such as the National Crime Agency, police forces, the Serious Fraud Office, etc. to provide specified personal data on their lawful request for information. This is done on a confidential basis and, through legislation, you will not be entitled to be informed of when this transfer of data has occurred. Details of what data we have submitted to these entities are also exempt from disclosure under a Subject Access Request.

How Will We Comply with Data Protection Laws?

Data Protection Laws require that we meet certain lawful grounds before we are allowed to use your personal data in the manner described in this Privacy Policy and that we explain these legal grounds to you. We take our responsibilities under Data Protection Laws seriously, including meeting these conditions. To use your personal data, we will rely on the following lawful grounds (more than one ground may be relevant to each example of our processing):

- **Contract:** Where you are an existing customer or have made an enquiry or application with us, we will process your personal data to the extent required for us to provide you with services related to products that you have purchased or intend to purchase from us in accordance with its terms (for example existing customers can make a payment, request information in respect of how to obtain additional finance or how to obtain a redemption figure). Additionally, if you are not an existing customer but you have requested further information about one of our products or services, we will use your personal data to provide you with such requested information;
- **Legitimate Interests:** We will also process your personal data where this processing is in our "legitimate interests". It is in our legitimate interests to collect your personal data as it provides us with the information that we need to run the Website or provide our services

and/or products more effectively. When relying on this condition, we are required to carry out a balancing test of our interests in using your personal data (for example, in order to improve the Website or our services), against the interests you have as a citizen and the rights you have under Data Protection Laws (for example, to not have your data sold to third party marketing companies without your knowledge, or store your personal data in insecure or unstable countries/ regions). The outcome of this balancing test will determine whether we can use your personal data in the ways described in this privacy policy. We will always act reasonably and give full and proper consideration to your interests in carrying out this balancing test; and

- **Legal obligation:** Where there is a legal requirement upon us to record, retain or share your personal data with authorities, we must do so. For example, to comply with laws and regulations which govern our business.
- **Substantial Public Interest:** Where you have a health issue and we are notified about that issue by you or by someone else, we may record this sensitive personal data where it is necessary for reasons of substantial public interest, to allow us to comply with the Equalities Act 2010 and make reasonable adjustment for you if required.
- **Consent:** Where you have provided your consent, we also rely on your consent to use your personal data in certain ways (for example, in some circumstances to market our products and services to you).

YOUR RIGHTS

Data Protection legislation provides you with express rights which include:

YOUR RIGHT TO OBJECT OR REQUEST ERASURE OF THE DATA WE HOLD

You may object to Bath and West Finance holding or processing your personal data and/or request that we remove this data from our storage. Where your loan does complete we have an obligation to retain your information in order to assure the performance of the

loan contract so will be unable to remove your data during the term of any loan taken out with Bath and West Finance. We may also need to keep certain data for a period of time decided and set elsewhere in the privacy policy. Please contact the firm’s Data Protection Representative if you wish to object or request to erase your data.

YOUR RIGHT TO CORRECT YOUR DATA

Where you or we become aware of an error in the data that Bath and West Finance processes or holds, you have a right to have that data corrected. You can inform our Data Protection Representative of any errors that need to be corrected.

YOUR RIGHT TO A COPY OF YOUR DATA

You also have the right to request either the details of the data we hold on you or to request a copy of this. We are obliged to provide this to you within 30 days of receipt of your request. Please contact the firm’s Data Protection Representative to request this.

YOUR RIGHT TO DATA PORTABILITY

You have the right to request that data which we hold is passed to another Data Controller for their use on your behalf via a “machine readable” format. This can be requested from the Data Protection Representative of Bath and West Finance.

YOUR RIGHT TO COMPLAIN

You have a right to complain, via our Data Protection Representative, regarding how and why we process, or any errors we have made in the processing of, your data. Your complaint can also be made to the Information Commissioners Office:

Post: ICO, Wycliffe House, Water Lane, Wilmslow, SK9 5AF

Telephone: 0303 123 1113

Website: www.ico.org.uk

DATA RETENTION

Bath and West Finance will only retain your data for as long as is necessary. The retention period will be determined by various criteria including:

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- The purpose for which we are using it – we will need to keep the data for as long as is necessary for that purpose; and
- Legal obligations – laws or regulation may set a minimum period for which we have to keep your personal data (for example the holding of accounting records).

DATA STORAGE

We are aware of the importance of safeguarding the information under our control and endeavour to take all reasonable steps to protect it. All data collected through the website or any other means is stored on secure servers and filing system, and we have stringent security and confidentiality procedures covering the storage and disclosure of such information in accordance with the current data protection regulations.

All Data that Bath and West Finance collects is controlled and stored within the UK. We do not transfer data to any entity outside of the UK or the EEA. Where this does occur, we will inform you of the situation and seek your consent prior to the initiation of the transfer.

'COOKIES'

A 'cookie' is a piece of data that a website transfers to the internet browser on your computer's hard disk, which lets the website "remember" who you are. It will

usually contain a unique, randomly generated, number. Major commercial and business websites generally employ cookies. They cannot be used by themselves to identify you, and we will not attempt to use them for this purpose. You can delete cookies manually – if you wish to do so, please consult your browser help manual. (There are also websites that help you do this.) "Session cookies" stay in your browser only until you close it. "Persistent cookies" stay in your browser for longer – how long depends on the "lifetime" of the relevant cookie.

USE OF 'COOKIES'

We use session cookies to allow you to carry information across pages and avoid you having to re-type it. We may use persistent cookies, so we can recognise your number (but not identify you further) when you return to our website, and, potentially, to enable us to note your interests, and arrange or edit content to match your interests, or those of borrowers generally, in a better way. Third parties may also serve cookies through this website. They may be used to put together statistics to help understand how people use the site, or to check whether, and how often, particular content is being viewed.

Changes to this Privacy Policy

This Privacy Policy may be updated from time to time, so you may want to check it each time you provide personal data to us.