



Lending and Overdraft Privacy Notice of Cois Sionna Desmond Credit Union Limited

A credit union is a member-owned financial cooperative, democratically controlled by its members, and operated for the purpose of promoting thrift, providing credit at competitive rates, and providing other financial services to its members. Data collection, processing and use are conducted for the purpose of facilitating the above mentioned objectives. This notice is so that we provide you with information around the use of your data for lending or lending related purposes.

Our contact details are:

Address: Church Street, Askeaton, Co. Limerick
Website: www.csdcu.ie
Email: info@csdcu.ie
Phone: 061-392237

The Data Protection Officer for Cois Sionna Desmond Credit Union Ltd can be contacted on 061-392237 or by email at dpo@csdcu.ie or at the above address.

Cois Sionna Desmond Credit Union Limited is committed to protecting the privacy and security of your personal data. This privacy notice describes how we collect and use personal data about you during and after your relationship with us.

What personal data do we use?

We may collect, store, and use the following categories of personal data about you:

- Your name, address, date of birth, gender, email, marital status, dependents, telephone number (s), financial data, status and history, credit control status, transaction data; contract data, details of the credit union products you hold with us, signatures (original or digital), identification documents, salary, income verification, outgoings, occupation, employment status, accommodation status, mortgage details, credit card statements, personal bank statements, P60, savings held elsewhere, salary cert, family home declaration, previous addresses, spouse details, spouse/partner income details, partner details, nomination details, Tax Identification/PPSN numbers, passport details, driver licence details, tax residency, interactions with credit union staff and officers on the premises, by phone, or email, current or past complaints, CCTV footage, call recording (where applicable).

For a **CAS account** the following categories of personal data we collect, store and use:

- Eircode, details on source of wealth and funds, further information on income, suitable contact time, birth country, account usage, current banking details and no of dependants.

The purposes for which we use your personal data:

The credit union will use your personal data to assist it in carrying out the following:

- Assessing your loan application and determining your creditworthiness for a loan.
- Verifying the information provided by you in the application.
- We are obliged to purchase loan protection and life savings protection from ECCU
- Conducting credit searches and making submissions to the Central Credit Register.
- Administering the loan, including where necessary, to take steps to recover the loan or enforce any security taken as part of the loan.
- We may use credit scoring techniques and other automated decision-making systems to either partially or fully assess your application.
- Meeting legal and compliance obligations and requirements under the Rules of the Credit Union.
- To comply with Central Bank Regulations to determine whether you are a connected borrower or related party borrower.

- Providing updates on our loan products and services by way of directly marketing to you.
- Call recording for verification purposes;
- To open and maintain a CAS account overdraft for you.

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

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

We need all the categories of information in the list above to allow us to; identify you and contact you and in order that we perform our contract with you.

We also need your personal identification data to enable us to comply with legal obligations. Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

How we use particularly sensitive personal data

“Special categories” of particularly sensitive personal data require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data. We may process special categories of personal data 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.

Automated decision making

We use a credit scoring system which helps us assess your ability to repay by comparing your overall income with all your financial commitments. Our decision to lend to you may be based solely on this system.

You have the right to obtain human intervention in this automated process, to express your point of view, to obtain an explanation of the decision reached after such assessment, and to challenge the decision.

Open Banking

The introduction of Open Banking under the Second Payment Services Directive (PSD2) allows authorised and regulated companies known as Account Information Service Providers (AISP) to ask an individual or business for permission to connect to their bank account and extract relevant bank account information for safe transfer to another financial institution.

As part of our loan application process, members now have the option to use an AISP (Truelayer (Ireland) Ltd.). This means that, with your consent, you can grant the credit union temporary access to electronic copies of your bank statements/transactions. This facility is intended to speed up the loan assessment process, in that you will not need to forward printed copies. The credit union does not get access to your bank account, only to the extracted information you consent to.

All members still have the option to send in hard copy printouts of bank statements.

Profiling

We sometimes use systems to make decisions based on personal data we have (or are allowed to collect from others) about you. This information is used for loan assessment, anti-money laundering purposes and compliance with our legal duties in that regard.

Marketing

In the event that we would like to send you direct marketing, we will ask for your explicit consent. If we request your consent for this purpose, it will be presented in a manner which is clearly distinguishable as consent to marketing. If you had provided such consent, you have the right to withdraw it at any time, free of charge and such withdrawal will be as easy to as to give consent.

If you had previously consented to us using your personal information for marketing purposes and would like to withdraw such consent, you will be able to do so by clicking “unsubscribe” option at the end of any marketing email sent to you or by following the instructions to “unsubscribe” on any text message sent for marketing purposes. Alternatively, you could email us at memberservices@csdcu.ie to withdraw your consent or change your preferences.

E- Signatures:

Our E-signature service to complete loan documents is available through the on-line computerised system, CU Online+, which is part of our main IT service provider Wellington IT. If you use our E-signature service to complete loan documents through the on-line computerised system, that may result in DocuSign Inc. coming into possession of personal data attributable to yourself. Where any such personal data is contained in a loan document which you have signed using an E-signature generated for you by DocuSign, it is intended that such document will have either been purged or redacted by DocuSign within a short time period after you have so signed the document.

Standing orders, direct debit, pay deduction and disbursement instructions

If you set up a direct debit with the credit union, the form will be retained in the credit union. To facilitate standing orders, direct debits and pay deductions, we must share the relevant information with third parties such as payment providers (PAYAC) and banks.

You may set up a pay deduction, standing order, direct debit to pay a credit union account which is not your own. You may also disburse part or all of; your own direct debit, standing order or pay deduction to an account which is not your own. However, should you choose to do this, under the Data Protection Acts, Cois Sionna Desmond Credit Union cannot provide you with the balance, transaction history or any other personal information on that account, under any circumstances. There may be cases where we can disclose some information to you, such as if you are guaranteeing a loan on that account.

Information provided to us by you about others or others about you

There may be instances where you provide us with someone else’s personal data or they provide us with yours. Where this occurs, it is important that you seek their approval to disclose their personal data and likewise, they seek yours. We may add it to any personal information we already hold and we will use it in the ways described in this privacy notice.

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 right¹. We only permit them to process your personal data for specified purposes and in accordance with our instructions. Usually, information will be anonymised but this may not always be possible. The recipient of the information will also be bound by confidentiality obligations.

If you fail to provide personal data

You can choose not to share information with us, however by doing so may limit the services we are able to provide to you. 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.

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. This information is documented in our Record Management Policy.

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

Once the retention period has expired, the respective data will be permanently deleted. Please see our retention periods below.

- Credit agreements are **contracts and as such the credit union** retains them for six years from date of expiration or breach, and twelve years where the document is under seal.
- Loan applications and/or overdraft application form part of your credit agreement and as such we retain them for six years.

Planned data transmission to third countries

This credit union does not currently and does not anticipate any transmission of personal data to third countries. Should this change, we will inform you of the safeguards used to allow for such processing.

Our use and sharing of your information

We will collect and use relevant information about you, your transactions, your use of our products and services, and your relationships with us. We will typically collect and use this information for the following purposes:



Fulfilling contract This basis is appropriate where the processing is necessary for us to manage your accounts and credit union services to you

Administrative Purposes: We will use the information provided by you, either contained in this form or any other form or application, for the purpose of assessing this application, processing applications you make and to maintain and administer any accounts you have with the credit union.

Security: In order to secure repayment of the loan, it may be necessary to obtain security such as a charge on your property or other personal assets.

Third parties: We may appoint external third parties to undertake operational functions on our behalf. We will ensure that any information passed to third parties conducting operational functions on our behalf will be done with respect for the security of your data and will be protected in line with data protection law.

Guarantors: As part of your loan conditions or overdraft, we may make the requirement for the appointment of a guarantor a condition of your loan agreement in order that credit union ensures the repayment of your loan or overdraft. Should your account go into arrears, we may need to call upon the guarantor to repay the debt in which case we will give them details of the outstanding indebtedness. If your circumstances change it may be necessary to contact the guarantor.

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

For the processing of **electronic payments** services on your account (such as credit transfers, standing orders and direct debits), the Credit Union is a participant of PAYAC. Payac is credit union owned and operated company that assists participating credit unions in obtaining regulatory approval, developing, implementing and providing ongoing support for payment account services. This includes among other activities assisting in the establishment of operating standards, negotiating third party services and outsourcing arrangements on behalf of participating credit unions. For more information on PAYAC's privacy policy see the following link: <https://payac.ie/privacy-policy/>

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 information will be shared with ECCU to allow it deal with insurance underwriting, administration and claims on our behalf.

Credit Assessment: When assessing your application for a loan or overdraft 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 loan supporting documentation
- your existing credit union file,
- credit referencing agencies such as the Central Credit Registrar

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

We may have to request other documentation to support your loan application or overdraft application such as quotes, proof of college acceptance or documentation relating to your personal or financial circumstances. Such information will be retained if necessary with your loan application.

It may be a condition of your loan or overdraft application that your repayments are made via Direct Debit or Standing Order. This is to encourage regular and consistent repayments. In this case, your bank details will be processed by us and Direct Debit forms will be retained by us.

In certain circumstances, we may not be able to approve a loan or overdraft based solely on the applicant's income and expenditure details. In such cases we may request a spouses/cohabitants income and expenditure details for our assessment. We may also request proof of said income or expenditure for the spouse/cohabitant. The spouse/cohabitant income and expenditure details will be stored with the loan application or overdraft application it relates to. If this applies, please note you must ensure you have your spouse's/cohabitants consent to provide us with such information and show them this notice.

Credit Control/Debt Recovery:

If your account falls into arrears, the credit union will contact you to notify you. While we make every effort to assist you and would prefer to handle your account internally, there may be cases where we will have no choice but to use the service of a debt collection agency, solicitors or other third parties to recover the debt. We will share with them, the details of the loan application or overdraft application in order for them to make contact with you and details of the indebtedness in order that they recover the outstanding amounts. We may use tracing agents in order to locate you in the event that you fail to make repayments on your loan and or fail to make contact with the credit union. Your account will only be referred to a tracing agency where all other attempts to contact you have been unsuccessful. In certain circumstances, legal action may be taken against you in relation to your account and your details will be disclosed to our solicitors for our legal defence.

Member Service: To help us improve our service to you, we may use information about your account to help us improve our services to you.



Legal Duty

This basis is appropriate when we are processing personal data to comply with an Irish or EU Law.

Regulatory and statutory requirements: To meet our duties to the Regulator, the Central Bank of Ireland, we may allow authorised people to see our records (which may include information about you) for reporting, compliance and auditing purposes. For the same reason, we will also hold the information about you when you are no longer a member. We may also share personal data with certain statutory bodies such as the Department of Finance, the Department of Social Protection and the Financial Services and Pensions Ombudsman Bureau of Ireland, the appropriate Supervisory Authority if required under law.

Purpose of the loan: We are obliged to ensure that the purpose for the loan falls into one of our categories of lending.

Compliance with our anti-money laundering and combating terrorist financing obligations: The information provided by you will be used for compliance with our customer due diligence and screening obligations under anti-money laundering and combating terrorist financing obligations under The Money Laundering provisions of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 , as amended by Part 2 of the Criminal Justice Act 2013 (“the Act”), as amended by the Criminal Justice (Money Laundering & Terrorist Financing)(Amendment)Act 2018 and the Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2021 (the latter two were introduced under the 4th and 5th AML/CTF EU Directives). This will include filing reports on the Beneficial Ownership Register, the Beneficial Ownership Register for Certain Financial Vehicles (“CFV”), on the Bank Account Register, the European Union Cross-Border Payments Reporting (“CESOP”), the Central Register of Beneficial Ownership of Trusts (“CRBOT”) and the Ireland Safe Deposit Box and Bank Account Register (ISBAR). This reporting obligations requires the credit union to submit certain member data to the relevant authority administering the registers, such as the Central Bank of Ireland or the Revenue Commissioners. For further information, please contact the credit union directly.

Audit: To meet our legislative and regulatory duties to maintain audited financial accounts, we appoint an external and internal auditor. We will allow the internal and external auditor to see our records (which may include information about you) for these purposes.

Credit Reporting: Where a loan or overdraft is applied for in the sum of €2,000 or more, the credit union is obliged to make an enquiry of the Central Credit Register (CCR) in respect of the borrower and where applicable guarantor. Where a loan is granted in the sum of €500 or more, the credit union is obliged to report both personal details and credit details of the borrower and guarantor to the CCR.

Data we provide to the Central Credit Register (CCR) in respect of your loan will now be shared with the Central Statistics Office (CSO). (The Statistics Act 1993 provides that the CSO may obtain information from public bodies including the Central Bank). Personal data held on the Central Credit Register includes your name, date of birth, address, gender, telephone number and personal public service number (PPSN). Your PPSN, Eircode and contact telephone number is not transferred to the CSO. The Central Bank is the data controller for the Central Credit Register and the obligations of the GDPR and general and data protection law apply to them.

The Central Statistics Office, (CSO) is the data controller for the information when it is transferred to them and the obligations of the GDPR and Data Protection law apply then to the CSO. Please refer to the www.centralcreditregister.ie for more information. More information in relation to the CSO is available at www.cso.ie

House Loan: Where you obtain a house loan from us, it will be necessary for the credit union to obtain a first legal charge on the property to be purchased and it will be necessary for us to process your personal data in order to register this charge or have this charge registered on our behalf.

Connected/Related Party Borrowers: We are obliged further to Central Bank Regulations to identify where borrowers are connected in order to establish whether borrowers pose a single risk. We are also obliged to establish whether a borrower is a related party when lending to them, i.e. whether they are on the Board/Management Team or a member of the Board/Management teams family or a business in which a member of the Board /Management Team has a significant shareholding.



Legitimate interests A legitimate interest is when we have a business or commercial reason to use your information. But even then, it must not unfairly go against what is right and best for you. If we rely on our legitimate interest, we will tell you what that is.

Credit Assessment and Credit Reference Agencies:

When assessing your application for a loan or overdraft, as well as the information referred to above in credit assessment, the credit union also utilises credit data from credit referencing agencies such as the Central Credit Registrar[See legal duty].**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.

CCTV: We have CCTV footage installed on the premises with clearly marked signage. The purpose of this is for security, public safety and the prevention and detection of fraud. **Our legitimate interest:** With regard to the nature of our business, it is

necessary to secure the premises, property herein and any staff /volunteers/members or visitors to the credit union and to prevent and detect fraud.

Call Recording: We may record phone conversations both incoming and outgoing for the purpose of verifying information.

Our Legitimate interest: To ensure that correct instructions were given or taken due to the nature of our business.



Your consent

Your consent must be freely given, informed and not conditional on any other service. You have the right to withdraw your consent, free of charge, at any time by contacting the credit union.

Marketing and Market Research

When applying for membership of the credit union, we do ask for your preferences in relation to direct marketing. 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/specialist market research companies. See section on Your Marketing Preferences.

If you had previously consented to us using your personal information for marketing purposes and would like to withdraw such consent, you will be able to do so by clicking “unsubscribe” option at the end of any marketing email sent to you or by following instructions to “unsubscribe” on any text message sent for marketing purposes. Alternatively, you could email us at memberservices@csdcu.ie to withdraw your consent or change your preferences.

Transferring to another Credit Union

Cois Sionna Desmond Credit Union may assist you in transferring your account to another Credit Union. If you request us to do this, we will require your consent to transfer your personal data to the other credit union. For this transfer to take place you will usually be required to open an account in the other Credit Union first, we will then transfer your account history to the relevant credit union on your behalf.

Exercising your Rights

If you wish to exercise any of the below rights, you can request a copy from our office. This form has a guidance document attached which will assist you in completing your request. You can send your request by post, email or by handing it to our office. All requests should be addressed to the Data Protection Officer. Please note we may need to verify your, in which case we may ask you to provide us with a copy of your photo ID and proof of address before we can complete the request.

Complaints

Cois Sionna Desmond Credit Union endeavours to meet the highest standards when collecting, using, storing and destroying your personal information. We urge you to notify us if you think that our processing activities are unfair, misleading or inappropriate. We also welcome any suggestions for improving our procedures. This lending privacy notice aims to provide you with comprehensive detail of all aspects of our data processing; however we are happy to provide any additional information that may be necessary. All complaints, queries or suggestions should be addressed to:

The Data Protection Officer, 061-392237
Cois Sionna Desmond Credit Union Limited, dpo@csdcu.ie
Church Street,
Askeaton,
Co. Limerick

Breach Notification

In the unlikely event that the credit union suffers a data breach, we have an appropriate response plan in place. If your personal data has been breached and is likely to result in a high risk to your rights and freedoms, we will notify you without undue delay. We will also notify the Data Protection Commissioner within 72 hours of becoming aware of the breach. An incident report will be carried out on each breach that occurs to analyse the effects of the breach, why the breach occurred and how we can prevent it happening again.

If you have any concerns regarding data breaches in the credit union or would like to report a data breach to us, you can do so by contacting the Data Protection Officer (details above).

If you are in receipt of information that does not concern you, please do not destroy the information but return it to our office as soon as possible.

Contact us

Questions, comments and requests regarding this Lending Privacy Notice are welcomed and should be address to the Data Protection Officer.

Your Rights in connection with your personal data are to:



To find out whether we hold any of your personal data and **if we do to request access** to that data that to be furnished a copy of that data. You are also entitled to request further information about the processing.



Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you rectified.



Request erasure of your personal data. 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 data. You can ask us to suspend processing personal data about you, in certain circumstances.



Where we are processing your data based solely on your consent **you have a right to withdraw that consent at any time and free of charge.**



Request that we: a) **provide you with a copy of any relevant personal data in a reusable format**; or b) **request that we transfer your relevant personal data to another controller** where it's technically feasible to do so. 'Relevant personal data is personal data that: *You have provided to us or which is generated by your use of our service. Which is processed by automated means and where the basis that we process it is on your consent or on a contract that you have entered into with us.*

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

Telephone (01) 765 01 00
Lo Call Number 1800 437 737

Postal Address: Data Protection Commissioner
21 Fitzwilliam Square South
Dublin 2
D02 RD28
Ireland

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

If you want access and or copies of any of your personal data or if you want to review, verify, correct or request erasure of your personal data, object to the processing of your personal data, or request that we send you a copy/a third party a copy your relevant personal data in a reusable format please contact The Data Protection Officer in Desmond Credit Union (see section Exercising your rights).

There is no fee in using any of your above rights, unless your request for access is clearly unfounded or excessive. We also reserve the right to refuse to comply with the request in such circumstances.

We may need to verify your identity if we have reasonable doubts as to who you are. This is another appropriate security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

Ensuring our information is up to date and accurate

We want the service provided by us to meet your expectations at all times. Please help us by telling us straightaway if there are any changes to your personal data.