

Rothesay



Privacy Notice

Who needs to read this privacy notice?

You should read this privacy notice if you have a mortgage over which Rothesay Life Plc has an economic interest.

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About us and our relationship with you

'Rothesay' is the trading name for Rothesay Life Plc, an insurance company established in the UK with company registration number 06127279 and ICO registration Z1003678. We are authorised in the UK by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. Our registered office address is The Post Building, 100 Museum Street, London WC1A 1PB.

This Privacy Notice applies to all situations where we process **personal data** about any individual who has a mortgage over which Rothesay Life Plc has an economic interest.

We provide financing to **lenders** which they use to provide mortgages to homeowners like you. As a result, Rothesay will have an economic interest in your **lender's** mortgage agreement with you. Alternatively, a **lender** may choose to sell their economic interest in your mortgage to us in exchange for an agreed amount. Even though we do not provide a mortgage directly to you, we will **process** your **personal data** as a result of these arrangements to monitor performance of the loans in which we have an economic interest and check that you are not in breach of the terms of the mortgage.

We are a **controller** under **data protection laws**. This privacy notice explains how we use and look after your **personal data**. This privacy notice also tells you about your privacy rights and how the law protects you.

About this document

This privacy notice contains information about:

- The **personal data** that we **process** as a **controller**.
- Where the **personal data** has been obtained.
- The reasons why we **process** your **personal data** and the lawful basis we use to do so.
- The security measures that we have in place to keep your **personal data** secure.
- The length of time we store your **personal data** for.
- The organisations, or categories of organisation, with whom we might share your **personal data**.
- International transfers of your **personal data**.
- The rights you have under data **protection laws** in relation to our **processing** of your **personal data**.

The meaning of words which are shown in **bold underlined** text are explained in the **Glossary**. Throughout this notice any reference to "we" or "us" refers to Rothesay Life Plc.

Please note that we may change this privacy notice from time to time. The latest version of our privacy notice can be found on our website:

> rothesay.com/data-protection

To request a printed copy of this privacy notice please contact us using the contact details contained in the part of this privacy notice headed **Contact details**.

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What personal data do we process?

The categories of **personal data** we **process** include the following:

1. **Homeowner's personal information: Personal data** relating to the homeowner of mortgage where we have financial interest in the mortgage. **Personal data** in this category includes:
 - name
 - address
 - date of birth
 - marital status
 - gender
2. **Mortgage information: Personal data** relating to details of a homeowner's mortgage and property. **Personal data** in this category includes:
 - property value
 - loan amount
 - joint/single loan
 - cash advance
 - loan to value ratio
 - Additional information – if you are in breach of the terms of your mortgage, we will obtain more information about the reason for the breach from your **lender** in order to help determine what action to take.
3. **Sensitive personal data:** This includes the **processing** of health data as part of an assessment to determine extenuating or exacerbating circumstances surrounding a breach of mortgage terms.

Where the personal data has been obtained.

Personal data will usually be collected from your **lender** with whom you have signed a mortgage.

There will be instances where we collect **personal data** from other sources. This includes:

1. **Tracing agencies and mortality screening companies**
We engage tracing agencies and third parties to check whether we hold your correct address and status. The results of this tracing check may be shared with your **lender**.
2. **Credit Reference Agencies:** We may use credit referencing agencies to conduct due diligence activities before we provide financing to your **lender**. They may provide us with further **personal data** about you.

The reasons why and lawful bases to process your personal data

The table below provides details of the purpose and the lawful bases upon which we **process personal data**.

Type of personal data	Why do we need it?	Lawful bases for processing
<ul style="list-style-type: none"> • <u>Homeowner’s personal information</u> • <u>Mortgage information</u> 	<p>When purchasing or selling a mortgage portfolio</p> <p>We <u>process personal data</u> to:</p> <ul style="list-style-type: none"> • Complete due diligence checks. • Establish that you, your property and your circumstances meet our criteria to enable us to provide the mortgage amount to your <u>lender</u>. • Establish that your <u>lender</u> can fulfil its obligations under its mortgage agreement with you. • Establish that we and your <u>lender</u> can collect amounts due under the mortgage. 	<p>Legitimate interests pursued by us or by a third party</p> <p>We have a legitimate interest to operate our business effectively and efficiently, manage the risks associated with our business, and meet our legal and contractual obligations. This includes selling interests in the loans to other parties.</p>
<ul style="list-style-type: none"> • <u>Homeowner’s personal information</u> • <u>Mortgage information</u> 	<p>To operate our business</p> <p>We <u>process personal data</u> to operate our mortgages business and manage the risks aligned to our loans. This includes the potential <u>processing of personal data</u> in connection with the sale or potential sale of our interest in the loans to other parties.</p>	
<ul style="list-style-type: none"> • <u>Homeowner’s personal information</u> • <u>Mortgage information</u> 	<p>When servicing a mortgage portfolio</p> <p>We <u>process personal data</u> to:</p> <ul style="list-style-type: none"> • Ensure mortgage investments are properly funded. • Verify that the mortgage charge has been correctly registered against the property at the land registry. 	

	<ul style="list-style-type: none"> • Undertake flood, geographical or environmental risk assessments of the properties securing the mortgage loans in which we have an economic interest. • Ensure we can operate our business and sell our loans to other loan providers like us. • Ensure that we operate our business responsibly and cease lending if there are material breaches relating to the mortgage portfolio or if the portfolio in aggregate is not sustainable and gathering increased risks. <p>We also may receive ad-hoc queries and escalations relating to specific mortgages. We may need to process personal data to manage these queries effectively.</p>	
<ul style="list-style-type: none"> • <u>Homeowner’s personal information</u> • <u>Mortgage information</u> 	<p>Where there has been a breach of the terms of a mortgage</p> <p>If you breach the terms of your mortgage then we might need to process your personal data to review your circumstances and determine what action should be taken by the lender. This may involve processing your sensitive personal data.</p>	<p>Legitimate interests pursued by us or by a third party</p> <p>We have a legitimate interest to operate our business effectively and efficiently, manage the risks associated with our business, and meet our legal and contractual obligations.</p> <p>Sensitive Personal Data such as health information might be received as part of a case analysis. In such circumstances, we process personal data under a substantial public interest condition, such as safeguarding the economic well-being of individuals.</p>

We may also process **personal data** including **sensitive personal data** to comply with other laws, regulations or criminal reporting requirements that we are subject to. This includes compliance with law enforcement agency procedures in connection with various investigations and compliance with any requirement to prevent or detect unlawful acts.

How do we keep your personal data secure?

Our commitment to corporate security is demonstrated through the implementation of policies, controls and procedures, which are externally certified and audited to the international information security standard, ISO 27001:2013.

Our security policies, controls and procedures are regularly reviewed and updated so that we maintain good practices across our business to keep your information safe.

We have contractual arrangements in place with all of our service providers who **process personal data** in accordance with **data protection laws**. We regularly check that our service providers are complying with their contractual commitments. This includes assessing and reporting on our service providers' information security controls to check their compliance using questionnaires and/or on-site audits.

How long do we store your personal data?

We will only keep your **personal data** for so long as we reasonably required and, in any event, only for as long as our internal rules and policies allow us in order to fulfil our business or legal and regulatory obligations. This will usually be six years from the end of our interest in the relevant mortgage (for example, six years from the date of redemption of the mortgage).

Who has access to your personal data?

We share **personal data** with a variety of other companies to operate our business. However, we only share the **personal data** where necessary to help us satisfy one or more of the reasons for processing set out above.

We have detailed the types of companies with whom we currently share **personal data** below. The companies fall into two categories:

- **Processors with whom we share personal data**

For these companies, we determine the purposes for which the **personal data** we pass to them is **processed** and they should not **process** that **personal data** other than in accordance with our written instructions. Processors with whom we share personal data:

- 1. Tracing agencies**

We use these companies in order to check whether you are alive and whether your current address is your place of residence. The results of this tracing check may be shared with your **lender**.

- 2. Property related service providers**

We engage a number of companies to provide services relevant to the mortgages we have funded, including property valuation companies, auditors and due diligence providers.

- 3. IT service providers**

Our main IT infrastructure and core software is provided by Goldman Sachs Group, Inc.. This means that **personal data** we **process** is stored on Goldman Sachs' IT systems.

- 4. Other service providers to our business**

Other companies who **process personal data** on our behalf include those who provide day-to-day operational business services such as emails, archiving, document scanning and copying, document destruction and printing.

- **Controllers with whom we share personal data**

For these companies, we do not determine the purposes for which the **personal data** we pass to them is **processed** once it is shared. To understand how the other **controllers process** your **personal data**, you should refer to their privacy notices. Controllers with whom we share personal data:

- 1. Lenders**

As we hold an economic interest in your mortgage, your **lender** provides mortgaging services to us, which involves the processing of your **personal data**. For example, they collect payments that are due from you under the terms of your mortgage and pass them to us.

You can request a list of **lenders** to whom we have disclosed your **personal data** using the details contained in the part of this privacy notice headed **Contact details**.

- 2. Group entities**

We will sometimes need to share **personal data** with entities within the Rothesay group of companies for administrative purposes and as part of our internal financing arrangements.

- 3. Other loan providers like us**

If we decide to sell our interests in certain of our loans to another provider, we will give your **personal data** to the actual or proposed purchaser of the economic interest in your mortgage.

- 4. Professional advisers**

We sometimes have to share **personal data** with our professional advisers (including accountants and lawyers) where it is required for the purposes of their advice.

- 5. Regulators, law enforcement and auditors**

We will share **personal data** when requested by regulators, law enforcement agencies or other third parties to comply obligations imposed on us by laws and regulations.

International transfers of your personal data

Where personal data is transferred to and **processed** in a country outside of the UK or the EEA (as applicable), we take steps to provide appropriate safeguards to protect your **personal data**, including by entering into approved standard contractual clauses obliging recipients to protect your **personal data** and only transferring **personal data** to the extent that an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of **personal data** is ensured in compliance with **data protection laws**.

If you want further information on the specific mechanisms used by us when transferring your **personal data** outside of the UK or EEA, please contact us using the details contained in the part of this privacy notice headed **Contact details**.

Your rights

Under certain circumstances, you have the following rights under **data protection law**:

- The right of access to **personal data** relating to you (known as Subject Access Requests)
- The right to correct any mistakes in your **personal data**.
- The right to require us to delete your **personal data**.
- The right to restrict our **processing** of your **personal data**.
- The right to object to us **processing** your **personal data, including for marketing purposes**.
- The right to have your **personal data** provided to another **controller**.

How to exercise your rights

If you wish to exercise any of your rights, please contact us using the details contained in the part of this privacy notice headed **Contact details**.

Contact details

How to contact us regarding this privacy notice

You may want to contact us to:

- Ask any questions you have in relation to the information contained in this privacy notice.
- Exercise any of your rights under **data protection laws**.
- Request a printed copy of this privacy notice.
- Request a version of this privacy notice printed in large print or braille.
- Request an audio version of this privacy notice.
- Make a complaint (see below).

To contact us you can email our DPO at **dpo@rothesay.com** or write to:

> Data Protection Team, Rothesay Life Plc, The Post Building, 100 Museum Street, London WC1A 1PB

If you live within the European Union, you can also contact our European representative. Their details are as follows:

> Bird & Bird GDPR Representative Services SRL, Avenue Louise 235, 1050 Bruxelles, Belgium

Or email **EUrepresentative.Rothesay@twobirds.com**

How to make a complaint

If you have a problem or concern relating to the ways we process your **personal data** or the contents of this privacy notice, please contact us in the first instance.

We hope that we will be able to address the problem or concern to your satisfaction. However, you also have the right to make a complaint to the Information Commissioner's Office. The process for making a complaint to the Information Commissioner's Office is available here: <https://ico.org.uk/make-a-complaint/>. Their contact details are as follows:

> Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Or phone 0303 123 1113

> **ico.org.uk**

Glossary

The terms shown in **bold underlined** text in this privacy notice have the meanings shown below.

controller: the entity which determines the purposes for which, and the manner in which, any **personal data** is **processed**.

data protection laws: any law relating to the use of Personal Data, including:

a) in the United Kingdom:

- i) the General Data Protection Regulation (EU) 2016/679 (GDPR) including as adopted by the United Kingdom as a result of its exit from the European Union ("UK GDPR") and the Data Protection Act 2018, and/or any corresponding or equivalent national laws and regulation in the United Kingdom and/or any other applicable jurisdiction; and/or
- ii) the Privacy and Electronic Communications (EC Directive) Regulations 2003, and any laws or regulations implementing Directive 2002/58/EC (e-Privacy Directive) and/or any corresponding or equivalent national laws and regulation;

b) in member states of the European Union (EU) and/or the EEA: the GDPR and the e-Privacy Directive, and all relevant EU and EEA member state laws or regulations giving effect to or corresponding with any of them; and

c) any judicial or administrative interpretation of any of the above.

Homeowner's personal information: **Personal data** relating to the homeowner of mortgage where we have financial interest in the mortgage. **Personal data** in this category includes:

- name,
- address,
- date of birth,
- marital status,
- gender

lender: a company authorised by the Financial Conduct Authority to offer mortgages to individuals.

Mortgage information: **Personal data** relating to details of a homeowner's mortgage and property.

Personal data in this category includes:

- property value
- loan amount,
- joint/single loan,
- cash advance,
- loan to value ratio
- Additional information – if you are in breach of the terms of your mortgage, we will obtain more information about the reason for the breach from your **lender** in order to help determine what action to take.

personal data: any information relating to a living identifiable individual, including:

- Information such as names, addresses, telephone numbers, email addresses, photographs, voice recordings and financial information
- Expressions of opinion and indications of intentions about individuals (and their own expressions of opinion/intentions)
- Information which on its own does not identify someone but which would identify them if put together with other information which we have or are likely to have in the future.

processor: any entity which **processes personal data** on behalf of a **controller**.

processing or **process**: this covers almost anything a company or individual can do with **personal data**, including:

- Obtaining, recording, retrieving, consulting, or holding it
- Organising, adapting, or updating it.
- Disclosing, sharing, or otherwise making it available.
- Cleansing, blocking, erasing, or destroying it.

Sensitive personal data: any information relating to any of the following:

- Racial or ethnic origin
- Political opinions
- Religious beliefs or beliefs of a similar nature
- Trade union membership
- Physical or mental health
- Sexual life or orientation
- Genetic data or biometric data for the purpose of uniquely identifying an individual
- Personal data relating to criminal convictions and offences.

Rothestay

'Rothestay' is the trading name for Rothestay Life Plc. Registered in England No. 6127279.
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