

Third party privacy notice

Your personal information and what we do with it
May 2018

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Although you may not be a customer of West Bromwich Building Society, we hold and use your personal information as a result of your appointment and/or relationship to a customer/their account. This privacy notice therefore applies to your personal information. The parts of this privacy notice that apply will depend on the reason why we hold your personal information.

The meaning of some terms that we use in this privacy notice:

Process or processing includes everything we do with your personal information from its collection, right through to its destruction or deletion when we no longer need it. This includes for instance collecting it (from you), obtaining it (from other organisations), using, sharing, storing, retaining, deleting, destroying and transferring it overseas.

Legitimate interests is mentioned in our privacy notice because data protection laws allow the processing of personal information where the purpose is legitimate and is not outweighed by your interests, fundamental rights and freedoms. Those laws call this the legitimate interests legal ground for personal data processing.

Who we are and how to contact us and our Data Protection Officer

West Bromwich Building Society of 2 Providence Place, West Bromwich B70 8AF is a data controller of your personal information. This means information that is about you or from which we can identify you. This privacy notice describes how we deal with your personal information. We are the data controller of this information under relevant data protection laws because in the context of our relationship with you we decide how and why it is processed in the ways explained in this privacy notice. When we use terms such as **we**, **us** and **our** in this notice, we mean West Bromwich Building Society.

Our Data Protection Officer can be contacted at any time including if you have queries about this privacy notice or wish to exercise any of the rights mentioned in it.

This privacy notice may be updated from time to time. You should check the webpage www.westbrom.co.uk/privacy-notice regularly so that you can read the up to date version.

What kinds of personal information about you do we process?

This includes:

- Your title, full name, your contact details, including for instance your email address, home and mobile telephone numbers;
- Your home address, correspondence address (where different from your home address) and address history;
- Your date of birth and/or age; and
- Your nationality, if this is necessary for us to comply with our legal and regulatory requirements.

What are the legal grounds for our processing of your personal information (including when we share it with others)?

Data protection laws require us to explain what legal grounds justify our processing of your personal information (this includes sharing it with other organisations). For some processing more than one legal ground may be relevant (except where we rely on a consent). Here are the legal grounds that are relevant to us:

- 1) Processing necessary **to perform our contract with you:**
 - a) Administering and managing a mortgage or savings account and services relating to that, updating your records, tracing your whereabouts to contact you about an account and doing this for recovering debt; and

- b) All stages and activities relevant to managing a mortgage or savings account including enquiry or application, administration and management of accounts.
- 2) Where we consider that, on balance, it is appropriate for us to do so, processing necessary **for the following legitimate interests** which apply to us and in some cases other organisations (who we list below) are:
- a) Administering and managing a mortgage or savings account and services relating to that, updating your records, tracing your whereabouts to contact you about an account and doing this for recovering debt;
 - b) To adhere to guidance and best practice under the regimes of governmental and regulatory bodies such as HM Revenue and Customs (HMRC), the Financial Conduct Authority, the Prudential Regulation Authority, the Financial Ombudsman Service, the Information Commissioner's Office and the Financial Services Compensation Scheme;
 - c) For management and audit of our business operations including accounting;
 - d) To carry out monitoring and to keep records;
 - e) To administer our good governance requirements and those of other members of our Group; and
 - f) When we share your personal information with these other people or organisations:
 - Account holders, trustees and beneficiaries, and any person with power of attorney over the account;
 - Members of our Group;
 - Our legal and other professional advisers, auditors and actuaries;
 - Financial institutions and trade associations;
 - Governmental and regulatory bodies such as HMRC, the Financial Conduct Authority, the Prudential Regulation Authority, the Financial Ombudsman Service, the Information Commissioner's Office and the Financial Services Compensation Scheme;
 - Other organisations and businesses who provide services to us such as debt recovery agencies, back up and server hosting providers, IT software and maintenance providers, document storage providers and suppliers of other back office functions;
 - Buyers and their professional representatives as part of any restructuring or sale of our business or assets;
 - Actual or proposed transferees, acquirers or assigns of all or part of our rights and obligations;
 - Any party with whom we or our agents have, or are considering entering into, a contractual agreement in relation to an account;
 - Any actual or proposed provider or arranger of finance relating to an account or any security agent or trustee in connection thereto and each of their respective professional advisers;
 - Credit Reference Agencies and their professional advisers; and
 - Market research organisations who help us to develop and improve our products and services.
- 3) Processing necessary **to comply with our legal obligations**:
- a) For compliance with laws that apply to us;
 - b) For establishment, defence and enforcement of our legal rights or those of any other member of our Group;
 - c) For activities relating to the prevention, detection and investigation of crime;
 - d) To carry out identity checks, anti-money laundering checks, and checks with Fraud Prevention Agencies;
 - e) To carry out monitoring and to keep records;

- f) To deal with requests from you to exercise your rights under data protection laws; and
 - g) To process information about a crime or offence and proceedings related to that (in practice this will be relevant if we know or suspect fraud).
- 4) Processing with your **consent**:
- a) When you request that we share your personal information with someone else and consent to that.
- 5) Processing for a **substantial public interest** under laws that apply to us where this helps us to meet our broader social obligations such as:
- a) Processing of your special categories of personal data such as about your health or your personal circumstances;
 - b) Processing that we need to do to fulfil our legal obligations and regulatory requirements; and
 - c) When we share your personal information or details of your personal circumstances with other people and organisations such as members of our Group, your relatives, social services, your carer or the person who has power of attorney over your affairs.

How and when can you withdraw your consent?

Much of what we do with your personal information is not based on your consent, instead it is based on other legal grounds. For processing that is based on your consent, you have the right to take back that consent for future processing at any time. You can do this by contacting us using the details on page 2.

Is your personal information transferred outside the UK or the EEA?

We are based in the UK but sometimes your personal information may be transferred outside the UK or the European Economic Area (EEA). If it is processed within Europe or other parts of the EEA then it is protected by European data protection standards. Some countries outside the EEA do have adequate protection for personal information under laws that apply to us. We will make sure that suitable safeguards are in place before we transfer your personal information to countries outside the EEA which do not have adequate protection under laws that apply to us except in cases where what are called 'derogations' apply.

Safeguards include contractual obligations imposed on the recipients of your personal information. Those obligations require the recipient to protect your personal information to the standard required in the European Economic Area. Safeguards also include requiring the recipient to subscribe to 'international frameworks' intended to enable secure data sharing and where the framework is the means of protection for the personal information.

What should you do if your personal information changes?

You should tell us without delay so that we can update our records. The contact details for this purpose are:

Data Protection Officer
 West Bromwich Building Society
 2 Providence Place
 West Bromwich
 B70 8AF

Do we do any monitoring involving processing of your personal information?

In this section monitoring means any listening to, recording of, viewing of, intercepting of, or taking and keeping records (as the case may be) of calls, emails, text messages, social media messages, in face to face conversations and other communications.

We may monitor where permitted by law and we will do this where the law requires it. In particular, where we are required by the Financial Conduct Authority's regulatory regime to record certain telephone lines or in face to face conversations (as relevant) we will do so.

Some of our monitoring may be to comply with regulatory rules, self-regulatory practices or procedures relevant to our business, to prevent or detect crime, in the interests of protecting the security of our communications systems and procedures, to have a record of what we have discussed with you and actions agreed with you, to protect you and to provide security for you (such as in relation to fraud risks on an account) and for quality control and staff training purposes.

Some of our monitoring may check for obscene or profane content in communications.

We may conduct short term carefully controlled monitoring where this is necessary for our legitimate interests or to comply with our legal obligations. For instance, where we suspect fraud, money laundering or other crimes.

Telephone calls and/or in face to face conversations between us and you in connection with an account may be recorded to make sure that we have a record of what has been discussed and what your instructions are. We may also record these types of calls for quality control and staff training purposes.

How long is your personal information retained by us?

Unless we explain otherwise to you, we will hold your personal information for the following periods:

- **Retention in case of queries.** We will retain the personal information that we need to keep in case of queries from you for 12 months unless we have to keep it for a longer period (see directly below); and
- **Retention in accordance with legal and regulatory requirements, or in case of claims.** We will retain the personal information that we need to keep for the period in which we are required in order to fulfil our legal and/or regulatory requirements, or for the period in which you might legally bring claims against us. This, in practice, means up to 15 years after the relevant relationship you have with us has come to an end or, in some cases, longer where we have reason to believe we need to for any of the reasons stated within this paragraph.

If you would like further information about our data retention practices, contact our Data Protection Officer.

What are your rights under data protection laws?

Here is a list of the rights that all individuals have under data protection laws. They do not apply in all circumstances. If you wish to exercise any of them we will explain at that time if they are engaged or not.

- The **right to be informed** – we have to be transparent with you about the processing that we do with your personal information. This is why we have a privacy notice. The information that we supply is determined by whether or not we collected your personal information directly from you or indirectly via someone else. Your right to be informed may be relevant if you consider it necessary to ask for more information about what we do with your personal information.
- The **right to have your personal information corrected if it is inaccurate** and to have **incomplete personal information completed** in certain circumstances. If we have disclosed the personal information in question to other organisations, we must inform them of the rectification where possible. Your rights in relation to rectification may be relevant if you consider that we are processing inaccurate or incomplete information about you.
- The **right to object** to processing of your personal information where it is based on legitimate interests, where it is processed for direct marketing communications or where it is processed for the purposes of statistics.
- The **right to restrict processing** of your personal information, for instance where you contest it as being inaccurate (until the accuracy is verified); where you have objected to the processing (where it was necessary for legitimate interests) and we are considering whether our organisation's legitimate interests override your own; where you consider that the processing is unlawful (and where this is the case) and where you oppose erasure and request restriction instead; or where we no longer need the personal information for the purposes of the processing for which we were holding it but where you require us to continue to hold it for the establishment, exercise or defence of legal claims.

- The **right to have your personal information erased** (also known as the 'right to be forgotten'). This enables an individual to request the deletion or removal of personal information where there is no compelling reason for its continued processing. This right is not absolute – it applies only in particular circumstances and where it does not apply any request for erasure will be rejected. It may be relevant where the personal information is no longer necessary in relation to the purpose for which it was originally collected/processed; if the processing is based on consent which you then withdraw; when you object to the processing and there is no overriding legitimate interest for continuing it; if the personal information is unlawfully processed; or if the personal information has to be erased to comply with a legal obligation. Requests for erasure may be refused in some circumstances such as where the personal information has to be retained to comply with a legal obligation or to exercise or defend legal claims.
- The **right to request access** to the personal information held about you, to obtain confirmation that it is being processed, and to obtain certain prescribed information about how we process it. This may assist if you wish to find out what personal information we do have about you in order to then determine if you can exercise other rights (those mentioned above and below).
- The **right to data portability**. This allows individuals to obtain and reuse their personal information for their own purposes across different services; to move, copy or transfer their personal information easily from one environment to another in a safe and secure way without hindrance to usability. This right can only be relevant where personal information is being processed based on a consent or for performance of a contract and is carried out by automated means. This right is different from the right of access (see above) and the types of information you can obtain under the two separate rights may be different. You are not able to obtain through the data portability right all of the personal information that you can obtain through the right of access.
- **Rights in relation to automated decision making which has a legal effect or otherwise significantly affects you**. This right allows individuals in certain circumstances to access certain safeguards against the risk that a potentially damaging decision is taken **solely** without human intervention. Data protection laws prohibit this particular type of automated decision making except where it is necessary for entering into or performing a contract; is authorised by law; or where you have explicitly consented to it. In those cases, you have the right to obtain human intervention and an explanation of the decision and you may be able to challenge that decision.

You have the right to complain to the Information Commissioner's Office which enforces data protection laws: www.ico.org.uk

Data anonymisation and use of aggregated information

Your personal information may be converted into statistical or aggregated data which cannot be used to re-identify you. It may then be used to produce statistical research and reports. This aggregated data may be shared and used in all the ways described in this privacy notice.

Your marketing preferences and what this means

We may use your home address, phone numbers, email address and social media (e.g. Facebook, Google and message facilities in other platforms) to contact you according to your marketing preferences. This means we do this only if we have a legal ground which allows it under data protection laws – see page 2 for what is our legal ground for marketing. You can stop our direct marketing communications at any time by writing to the:

Data Protection Officer
West Bromwich Building Society
2 Providence Place
West Bromwich
B70 8AF

Alternatively, you can speak to our Customer Service team on 0345 241 3784 (we are open Monday to Friday 8.30am to 7.00pm; Saturday 8.30am to 12.30pm).

Braille, audio and large print versions of this leaflet are available upon request. Please contact us on 0345 241 3784.

Head Office: 2 Providence Place, West Bromwich B70 8AF
www.westbrom.co.uk

Calls and electronic communications may be monitored and/or recorded for your security and may be used for training purposes. Your confidentiality will be maintained. The West Brom is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and Prudential Regulation Authority. Register No. 104877. 'the West Brom' is a trading name of West Bromwich Building Society.

