



ACCESS
CREDIT UNION

BANDON | SCHULL | SKIBBEREEN

Privacy Notice



Privacy Notice of Access 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 abovementioned objectives. This Privacy Notice is to provide you with information regarding the processing of information about you for account related purposes and other general purposes and further processing that may be necessary if you apply for a loan with us.

Our contact details are:

Address: Credit Union House, 13 Main Street, Skibbereen, County Cork
Phone: 028 21883
Email: info@accesscu.ie
Data Protection Officer – Contact 028 21883.

Access Credit Union 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, email, telephone financial data, status and history, transaction data; contract data, details of the credit union products you hold with us, signatures, identification documents, salary, occupation, accommodation status, mortgage details, previous addresses, spouse, partners, nominations, Tax Identification/PPSN numbers, passport details, interactions with credit union staff and officers on the premises, by phone, or email, current or past complaints, CCTV footage, telephone voice recordings, online identifiers (i.e. cookies).

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:

- To open and maintain an account for you.
- To meet our obligations under the Credit Union's Standard Rules.
- To contact you in respect of your account and any product or service you avail of.
- To comply with our legal obligations, for example anti-money laundering and beneficial ownership reporting obligations.
- In assessing your loan application and determining your creditworthiness for a loan.
- Verifying the information provided by you in the application.
- In order 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.
- 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.
- When acting as an insurance intermediary, to meet our obligations.

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.

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.

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.

If you fail to provide personal data.

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.

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 loans assessment and anti-money laundering purposes and compliance with our legal duties in that regard.

We use systems to make automated decisions based on personal information we have - or are allowed to collect from others - about you or your organisation. When you apply for a loan, we use data from different sources to look at your ability to repay the loan. We also use information provided by you and information from third parties such as credit reference agencies. The information we process for automated lending decisions includes Income, financial statements, transaction history, salary, spending and bills, credit rating, other loans held by you. In certain circumstances, you can object to a decision based on the automated processing.

The automatic system we use is Account Information Services (AIS)

This is provided for under the Revised Payment Services Directive (PSD2) provides a means by which Members can supply bank account transactions, which are required, electronically, by availing of AIS. Using AIS may reduce the time taken to process loan applications. If you consent to using AIS to supply bank account information, we will provide instructions by e-mail, including a link to the portal of an Account Information Services Provider ('AISP') that will enable you to initiate the AIS process. As a member this is a new optional service offering to enhance the loan approval timing process which is at no extra cost. AIS services are provided by Truelayer, an independent third party, who is the Data Controller of the information that they process. Truelayer is registered as an Account Information Services Provider (AISP) with the Central Bank of Ireland (registration reference number (C433487) and their privacy policy is available at. <https://truelayer.com/en-ie/privacy>

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 Retention Policy.

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

Accounting records required to be kept further to the Credit Union Act, 1997 (as amended) must be retained for not less than six years from the date to which it relates.

The **money laundering** provisions of anti-money laundering legislation require that certain documents must be retained for a period of five years after the relationship with the member has ended.

We keep **income tax** records for a period of six years after completion of the transactions to which they relate.

Loan application information is retained for a period of seven years from the date of discharge, final repayment, transfer of the loan.

CCTV footage and telephone recordings which are used in the normal course of business (i.e. for security purposes) for one month.

Telephone recordings - telephone conversations may be recorded for security and training purposes.

Credit agreements are **contracts** and as such the credit union retains them for seven years from the date of expiration or breach, and twelve years where the document is under seal.

Loan applications form part of your credit agreement and as such, we retain them for seven years.

Transfer of your Data outside of the EU.

In providing your personal information to us, you are acknowledging that this information could be transferred to locations outside of Ireland. This may happen if for example a server is located in a country outside of Ireland, where the same protection laws may not be the same as they are in Ireland.

By giving us your information, you are agreeing to these terms. However, if we are aware of your data being transferred out of the country, we will make sure the right protection processes are in place to ensure your personal information remains as secure as possible, in line with what we have stated above. In particular please note that if you engage with our website while outside the country, your data may be transferred internationally in order to provide you with the service you have requested.

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, 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. 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

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 to deal with insurance underwriting, administration and claims on our behalf.

Credit Assessment: When assessing your application for a loan, the credit union will take a number of factors into account and will utilise personal data provided by:

Your application form or as part of your loan supporting documentation.

Your existing credit union file, credit reference agencies such as the Central Credit Registrar

Any credit union affiliated to the Irish League of Credit Unions concerning loans and credit history that pertains to you with any such credit union.

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

Member Service: We may use information about your account to help us improve our services to you and provide you with updates on our loan products and services by way of direct marketing to you.



Legal Duty

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

Tax liability: We may share information and documentation with domestic and foreign tax authorities to establish your liability to tax in any jurisdiction. Where a member is tax resident in another jurisdiction the credit union has certain reporting obligations to Revenue under the Common Reporting Standard. Revenue will then exchange this information with the jurisdiction of the tax residence of the member. We shall not be responsible to you or any third party for any loss incurred as a result of us taking such actions. Under the "Return of Payments (Banks, Building Societies, Credit Unions and Savings Banks) Regulations 2008" credit unions are obliged to report details to the Revenue in respect of dividend or interest payments to members, which include PPSN where held.

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. An example of this is our legal obligation to file reports on the Central Credit Register in accordance with the Credit Reporting Act 2013. For the same reason, we will also hold the information about you when you are no longer a member. We may also share information 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 if required by law.

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 Criminal Justice (Money Laundering and Terrorist Financing) 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 auditor. We will allow the external auditor to see our records (which may include information about you) for these purposes.

Nominations: The Credit Union Act 1997 (as amended) allows members to nominate a person(s) to receive a certain amount from their account on their death, subject to a statutory maximum. Where a member wishes to make a nomination, the credit union must record personal data of nominees in this event.

Credit Reporting: Where a loan 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. 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 to the CCR.

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, as well as the information referred to above in credit assessment, the credit union also utilises credit data from the Central Credit Registrar (CCR) which is a credit reference agency.

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.

The CCR are using Legitimate Interests (GDPR Article 6 (f)) as the legal basis for processing of your personal and credit information. These Legitimate Interests are promoting greater financial stability by supporting a full and accurate assessment of loan applications, aiding in the avoidance of over-indebtedness, assisting in lowering the cost of credit, complying with, and supporting compliance with legal and regulatory requirements, enabling more consistent, faster decision-making in the provision of credit and assisting in fraud prevention.

Please review CCR's Privacy Statement Notice which is available at <https://www.centralcreditregister.ie/borrower-area/data-protection-statement/>. It documents who they are, what they do, who to contact, how they get the data, why they take it, what personal data they hold, what they do with it, how long they retain it, who they share it with, what entitles them to process the data (legitimate interests), what happens if your data is inaccurate and your rights i.e. right to information, the right of access, right to complain, right to object, right to restrict, right to request erasure and the right to request correction of your personal data.

Debt Collection: Where you breach the loan agreement we may use the service of a debt collection agency, solicitors or other third parties to recover the debt. We will pass the details of the loan application in order that they contact you and details of the indebtedness in order that they recover the outstanding sums. We may use a private investigator in order to locate you in the event that you fail to make repayments on your loan and or fail to contact the credit union.

Our legitimate interest: The credit union, where appropriate, will necessarily take steps to recover a debt to protect the assets and equity of the credit union.

Judgments Searches: We carry out searches in Stubbs Gazette in order to assess your creditworthiness to repay a loan.

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 history in order to determine your suitability for the loan applied for. In carrying out such a search we can better determine your overall financial position in order to lend to you.

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.

Voice Recording: We record phone conversations, both incoming and outgoing, for the purpose of verifying information and quality of service. This includes recording your verbal consent in respect of the Irish Life referral service that is provided for members.

Our Legitimate interest: To ensure a good quality of service, to assist in training, to ensure that correct instruction was given or taken due to the nature of our business and to quickly and accurately resolves any disputes.

Payac: For the legitimate interests and purposes of providing our current account, debit card and related services to our members, Access Credit Union is a participant of Payac Services Company Limited by Guarantee ("Payac"). Payac is a 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. Payac's Privacy Policy is available at <https://payac.ie/privacy-policy/>

FIS: Fidelity National Information Services ("FIS") is a data processor acting on our behalf through Payac for the administration of our card services associated with your current account. This service includes monitoring of data for legitimate interests including the prevention of financial crime, reporting of fraud and other related activities to protect our members from financial loss.

Debit Card: If we issue you a debit card, Transact Payments Malta Limited (which is an authorised e-money institution) will also be a controller of your personal data. In order for you to understand what they do with your personal data, and how to exercise your rights in respect of their processing of your personal data, you should review their privacy policy which is available at <http://currentaccount.ie/files/tpl-privacy-policy.pdf>



Your consent

We will only carry out the below processing when we have obtained your consent and will cease processing once you withdraw such consent.

Marketing and Market Research: 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 the section on Your Marketing Preferences.

Schools Quiz: We are involved in the Schools Quiz in liaison with the ILCU. The School's Quiz is open to entrants aged 4 to 13. Upon entry parent/legal guardians will be given further information and asked for their consent to the processing of their child's personal data. A separate privacy notice included in the quiz entry forms. Where the person is below 16* we ask that the parent/legal guardian provide the appropriate consent.

Donal O'Driscoll Student Bursary: This bursary is open to one credit union member per year and who are starting their third level education or an apprenticeship. The Credit union will process the applicant's data in assessing applications and choosing the recipient of the bursary. All applicants will be asked to consent to the processing of their data upon submitting their application to the credit union.

Sponsorship: The credit union from time to time provides sponsorship funding to help local groups and organisations. The credit union promotes itself and the activities of these local groups by sharing with their consent their photographs and publicity on the credit unions social media platforms.

Cookies: Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site.

You can also block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site.

How to control cookies: You can control and/or delete cookies as you wish - for details, see www.aboutcookies.org. You can delete all cookies that are already on your computer, and you can set most browsers to prevent them from being placed. If you do this, however, you may have to manually adjust some preferences every time you visit a site, and some services and functionalities may not work. If you want to see the other ways in which Access Credit Union Limited processes cookies please have a look at our General Privacy Notice, located www.accesscu.ie

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 information. 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 information. 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: +353 57 8684800 +353 (0)761 104 800
Lo Call Number: 1890 252 231
Web Form: <https://forms.dataprotection.ie/contact>

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 information, object to the processing of your personal data, or request that we send you or a third party a copy your relevant personal data in a reusable format please contact our Data Protection Officer in writing using their contact details above.

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 information. If you wish to avail of either of these rights, please contact us at 028 21883.

Skibbereen Branch

13 Main Street, Skibbereen

Bandon Branch

26/27 South Main St., Bandon

Schull Branch

East End, Schull

Call: 028 21883

Email: info@accesscu.ie

Web: www.accesscu.ie

Access Credit Union is regulated by the Central Bank of Ireland.