

 **Important Data Protection** 

A guide to how we and credit reference agencies and fraud prevention agencies use your personal information

What is a credit reference agency?

Credit reference agencies collect and maintain information on consumers' and businesses' credit behaviour, on behalf of organisations in the UK.

What is a fraud prevention agency?

Fraud prevention agencies collect, maintain and share information on known and suspected fraud. Some credit reference agencies also act as fraud prevention agencies.

Why do you use them when I have applied to your organisation?

Although you have applied to us, we will not only check our own records but will also contact credit reference agencies to get information on your credit behaviour with other organisations. This will help us make the best possible assessment of your overall situation before we make a decision.

Where do they get the information?

They get information from the following sources:

- Information that is available to the public, such as:
 - the electoral register from local authorities;
 - county court judgments from Registry Trust; and
 - bankruptcy orders (and other similar orders) from the Insolvency Service.
- Fraud information may also come from fraud prevention agencies.
- Credit information comes from information on applications to banks, building societies, credit card companies and so on, and also from how those accounts have been managed.

How will I know if you are sending my information to a credit reference agency or fraud prevention agency?

We will tell you when you apply for an account if we are going to give your information to a credit reference agency or a fraud prevention agency. The next section of this document will tell you how, when and why we will search at credit reference agencies and fraud prevention agencies and what we will do with the information we get from them. We will also tell you if we plan to send information about your or your business's payment history to credit reference agencies. You can ask us, at any time, which credit reference agencies and fraud prevention agencies we use.

Why do you use my information in this way?

We and other organisations want to make the best possible decisions we can, to make sure that you or your business will be able to repay us. Some organisations may also use the information to check your identity. In this way, we can make sure that we all make responsible decisions. At the same time, we also want to make decisions quickly and easily and, by using up-to-date information, we can make the most reliable and fair decisions possible.

Who controls what these agencies are allowed to do with my data?

All organisations that collect and process personal data are regulated by the Data Protection Act 1998, overseen by the Information Commissioner's Office. All credit reference agencies regularly consult the Commissioner. How the agencies use the electoral register is controlled by the Representation of the People Act 2000.

Can just anyone look at the information the credit reference agencies hold about me?

No. Access to your information is very strictly controlled and only the people that are entitled to see it can do so. Usually that will only be with your permission or, in rare cases, if there is a legal duty.

 **Read this section very carefully, as it will vary from lender to lender** 

What we do

1. When you apply to us to open an account, we will do the following.

1a Check our own records for information on:

- 1a1 your personal accounts;
- 1a2 your financial associates' personal accounts (if this applies); and
- 1a3 your business accounts, if you are an owner, director or partner in a small business.

- A financial associate will be someone you have a personal relationship with that creates a joint financial unit in a similar way to a married couple. You will have been living at the same address at the time. It does not include temporary arrangements such as those between students, people who share a rented flat, or business relationships.
- A small business is an organisation (a sole trader, partnership or a limited company) that has three or fewer partners or directors.

1b Search at credit reference agencies for information on:

- 1b1 your personal accounts;
- 1b2 your financial associates' personal accounts, if you are making a joint application now or you have previously made joint applications, had joint accounts or been financially linked to other people;
- 1b3 other members of your family, if we do not have enough information to help you (we will only do this in rare cases); and
- 1b4 your business accounts, if you are a director or partner in a small business.

1c Search at fraud prevention agencies for information on you and any addresses you have lived at, and your business (if you have one).

2. What we do with the information you give us as part of the application?

2a We will send your information to the credit reference agencies.

2b If you are making a joint application or you tell us that you have a husband, wife, civil partner or financial associate, we will:

2b1 search, link and record information at credit reference agencies about you both;

2b2 link your records with the records of any person you identify as your financial associate;

2b3 take both your and their information into account in applications you or they or both of you make in the future; and

2b4 continue this linking until the account is closed or is changed to a sole account and one of you tells us that you are no longer linked.

So, you must be sure that you have their permission to give us information about them.

2c If you give us false or inaccurate information and we suspect or identify fraud, we will record this and may also pass this information to fraud prevention agencies and other organisations involved in preventing crime and fraud.

2d We may also use your information to offer you other products, but only if you have given your permission.

3. With the information that we gather we will:-

3a assess your application for credit (sometimes using scoring methods);

3b check details on applications for credit and credit-related facilities or other facilities;

3c confirm your identity and the identity of your husband, wife, civil partner, partner or other directors and partners (sometimes using scoring methods);

3d carry out checks to prevent and detect crime, fraud and money laundering;

3e manage your personal and business accounts (if you have one) with us; and

3f from time to time, analyse statistics or carry out testing to make sure existing and future products and services we provide are accurate.

Any or all of these processes may be carried out as part of an automated system.

4. What we do when you have an account

4a If you borrow or may borrow from us, we will give credit reference agencies details of your personal and business accounts (if you have one), including account names, details of the people who hold those accounts with you, and information on how you manage the accounts.

4b If you borrow money and do not repay it in full and on time, we will tell the credit reference agencies.

4c We may regularly search our own group records and the records of credit reference agencies to manage your account with us, including whether to make credit available or to continue or extend existing credit. We may also carry out checks at fraud prevention agencies to prevent or detect fraud.

4d If you have borrowed from us and do not make payments that you owe us, we will trace where you are and recover the money from you.



What credit reference and fraud prevention agencies do

5. When credit reference agencies receive a search from us, they will do the following.

5a Place a search 'footprint' on your credit file, whether or not you or we go ahead with your application. If the search was for a credit application, other organisations may see the record of that search (but not the name of the organisation that carried it out) when you apply for credit in the future.

5b Link the records of you and anyone you have identified as your financial associate, including the names (and later or previous names) of other people who hold those accounts with you. Links between financial associates will stay on your and their files until you or they successfully file for a disassociation (to break the link) with the credit reference agencies.

- Financial associates can 'break the link' between them if their circumstances change and they are no longer a financial unit. They should apply for their credit file from a credit reference agency and file for a 'disassociation'.

6. The credit reference agencies will give us:

6a credit information, such as previous applications you have made and how you and your financial associates (if this applies) have managed your and their accounts (including business accounts);

6b public information, such as county court judgments (CCJs) and bankruptcies;

6c electoral register information; and

6d information to help prevent fraud.

7. When we give the credit reference agencies information about your personal and business accounts (if this applies to you), the credit reference agencies will:

7a record these details, including any previous and later names that have been used by the account holders and how you or they manage your account (accounts); and

7b make a record of the debts you still have left to pay, if you borrow money and do not repay it in full and on time.

The records we share with credit reference agencies will stay on file for six years after the accounts are closed, whether settled by you or defaulted (not paid in full by you).

8. Credit reference agencies will not use your information to:

- 8a create a blacklist; or
- 8b to make a decision.

9. The information that we and other organisations provide to the credit reference agencies about you, your financial associates and your business (if you have one) may be supplied by credit reference agencies to other organisations and used by them to:

- 9a prevent crime, fraud and money laundering (for example, by checking the details you have provided on applications for credit and credit-related facilities or other facilities);
- 9b check how you have managed your credit and credit-related accounts;
- 9c check your identity, if you or your financial associate applies for other facilities;
- 9d make decisions on credit and credit-related services about you, your partner, other members of your household or your business;
- 9e manage your personal, your partner's and your business (if you have one) credit or credit-related account or other facilities;
- 9f trace where you are and recover debts that you owe; and
- 9g carry out statistical analysis and system testing.

10. The information that we provide to the fraud prevention agencies about you, your financial associates and your business (if you have one) may be supplied by fraud prevention agencies to other organisations and used by them and us to:

- 10a prevent crime, fraud and money laundering by, for example:
 - checking details provided on applications for credit and credit-related facilities or other facilities;
 - managing credit and credit-related accounts or facilities;
 - cross-checking details provided on proposals and claims for all types of insurance; or
 - checking details on applications for jobs or when checked as part of employment;

- 10b check your identity if you or your financial associate applies for other facilities, including all types of insurance proposals and claims;
- 10c trace where you are and recover debts that you owe;
- 10d carry out other checks to prevent or detect fraud; and
- 10e carry out statistical analysis and system testing.

Law enforcement agencies may access and use this information.

We and other organisations may access and use from other countries the information recorded by fraud prevention agencies.

11. We may also use your information for other purposes you have given your specific permission for or, in very limited circumstances, when we must do so by law or if we are allowed to under the terms of the Data Protection Act 1998.

12. We may use your information to offer you other products, but only if we are allowed to do so.



How to find out more

You can contact the CRAs currently in business in the UK by using the following details. The information they hold may not be the same so it is worth contacting them all. They will charge you a small fee, as set out in the Data Protection Act 1998, for providing the information.

- **CallCredit**, Consumer Services Team, PO Box 491, Leeds, LS3 1WZ; Phone: 0330 024 7574 or log on to www.callcredit.co.uk

- **Equifax PLC**, Credit File Advice Centre, PO Box 3001, Bradford, BD1 5US; Phone 0800 014 2955 or log on to www.myequifax.co.uk
- **Experian**, Consumer Help Service, PO Box 8000, Nottingham NG80 7WF; Phone 0344 481 0800 or log on to www.experian.co.uk.

We subscribe to the CAIS credit account information sharing scheme operated by Experian relating to creditworthiness and fraud.

If you want to receive details of those fraud prevention agencies from whom we obtain and with whom we record information about you, contact/write to us at Danske Bank, Donegall Square West, Belfast BT1 6LT. You have a legal right to these details.

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