

# Crest Nicholson Privacy Policy

## 1 Information we may collect about you

1.1 We may collect and process the following personal information about you:

- (a) Information that you provide by filling in forms at our offices or on our website at <http://www.crestnicholson.com> (the **Site**) including any loan application you have made. This includes information regarding your address, passport details, bank details, other financial details, information you provide to us or upload to us or when you request further information from us. We may also ask you for information when you report a problem with our Site.
- (b) Details of loans you take out with us (or other services we may provide to you) whether through offline contact and agreements or through our Site or electronic communication and details of the administration of the loans (or other services) we provide to you.
- (c) Information relating to your financial situation, your creditworthiness or any criminal or fraudulent activities provided to us by you or third parties.
- (d) If you contact us, we may keep a record of that correspondence or details of any conversation we may have with you.
- (e) We may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them.
- (f) Details of your visits to the Site and information collected through cookies and other tracking technologies including, but not limited to, your IP address and domain name, your browser version and operating system, traffic data, location data, web logs and other communication data, and the resources that you access although this information is not united with your other personal information.

## 2 Joint applicants

2.1 Where you give personal information about someone else (such as a joint applicant) then you must first obtain their permission. Where information is provided about someone else it may be added to any personal information that is already held by us and it will be used in the ways described in this Privacy Policy.

2.2 When you open a joint account or product, this may mean that your personal data will be shared with the other applicant. For example, transactions made by you will be seen by your joint account holder.

## 3 Uses made of your personal information

3.1 We may use your personal information in the following ways:

- (a) to decide whether to approve a loan application you have made including assessing the

affordability of such loan and scoring your creditworthiness and disclosing such information to third party credit reference and fraud agencies for the purposes of credit analysis and detecting and preventing fraud and crime (as further set out in paragraph 4 below);

- (b) to identify you and to carry out money laundering checks as may be required by applicable law and regulation and best practice at any given time;
- (c) to carry out our obligations arising from any agreements entered into between you and us;
- (d) to recover any payments due to us and where necessary to enforce such recovery through the engagement of debt collection agencies or taking other legal action (including the commencement and carrying out of legal and court proceedings);
- (e) to analyse it in order to better understand your service and marketing requirements or in order to better understand our business;
- (f) to monitor calls and transactions to ensure service quality, compliance with procedures and to combat fraud;
- (g) to notify you about changes to our services and products;
- (h) to analyse it to develop our products and services and to understand our customers' requirements;
- (i) to ensure that content from our Site is presented in the most effective manner for you and for your device.
- (j) to any persons who refer you to us solely in order to remunerate them for such referrals;
- (k) to our legal, financial, business or other advisors to assist us with items (a) – (k) above.

3.2 We may also use your information for marketing our own and selected third parties' products and services to you by post, email, SMS, phone and fax and, where required by law, we will ask for your consent at the time we collect your data to conduct any of these types of marketing.

3.3 We will provide an option to unsubscribe or opt-out of further communication on any electronic marketing communication sent to you or you may opt out by contacting us as set out in paragraph 6.6 below.

## 4 Disclosures to third parties

4.1 We may also permit selected third parties and agents to use your personal information, for the purposes set out in paragraph 3 above who will be subject to obligations to process such information in compliance with the same safeguards that we deploy. Specific examples are set out in paragraphs 4.2 to 4.17 below but do not in any way limit this paragraph 4.1.

## Sharing between 1<sup>st</sup> and 2<sup>nd</sup> charge lenders

- 4.2 If you have a secured loan or mortgage with us, we may need to share information with other lenders who also hold a charge on your property or their successors or assignees. 4.7

## Government schemes

- 4.3 If you take out a mortgage that is covered by a Government Indemnity or other scheme including Help to Buy, information about you and your property, your mortgage application and the conduct of your mortgage account (including any arrears) may be shared with and used by the Scheme Administrators and other third parties (including any insurers) for the purpose of auditing the management of the scheme and for the processing of any claims made.

## Credit Reference Agencies (CRA)

- 4.4 CRAs collect and maintain information about consumers' and businesses' credit behaviour. This includes Electoral Register, fraud prevention, and credit information - including details of previous applications and the conduct of your accounts - and public information such as County Court Judgements, decrees, and bankruptcies.

- 4.5 The information that we and other organisations provide to credit reference agencies about you, your financial associates and your business (if you have one) may be provided to other organisations and used by them and us to:

- (a) help make decisions, for example when:
- checking details on applications for credit and credit-related or other facilities;
  - managing credit and credit-related accounts or facilities;
  - recovering debt;
  - checking details on proposals and claims for all types of insurance;
  - checking details of job applicants and employees;

- (b) detect and prevent crime, fraud and money laundering;

- (c) check your credit history;

- (d) verify your identity if you, or someone financially linked with you, applies for services;

- (e) trace your whereabouts; and

- (f) undertake research, statistical analysis and systems testing.

- 4.6 If we need to make a credit decision when you apply for a loan or other credit-based product or service or to review the amount of credit we provide under an existing agreement, your records will be searched, along with those of anyone who is financially associated with you such as your spouse or partner. The CRA will keep a

record of this search and place a "footprint" on your credit file, whether or not the application proceeds.

We may give details of your account and how you conduct it to CRAs, including if you borrow and do not repay in full and on time. If you fall behind with your payments and a full payment or satisfactory proposals are not received within 28 days of a formal demand being issued, then a default notice may be recorded with the CRAs. Similar information may also be given about your other lending/credit relationships with members of the group. Any records shared with CRAs will remain on file for 6 years after your account is closed, whether it has been settled by you or as a result of a default. Other organisations may see these searches and updates if you apply for credit in the future, and these may affect your ability to borrow from other lenders.

- 4.8 If you apply for or hold an account in joint names, or tell us that you have a spouse or financial associate, a financial association will be created between your records, including any previous and subsequent names used by you. This means that your financial affairs may be treated as affecting each other. These links will remain on your and their files until such time as you or your partner is successful in applying for a disassociation with the CRAs to break that link. You must be sure that you have their agreement to disclose information about them. Searches may be made on all joint applicants, and search footprints will be left on all applicants' records.

- 4.9 You have a right to apply to the credit reference agencies for a copy of your file.

- 4.10 We carry out credit searches using the three main CRAs. Details of how you have run your account(s) may be disclosed to all the credit reference agencies. The information they hold may not be the same and there is a small fee that you may need to pay to each agency that you apply to. Their contact details are:

Experian: Consumer Help Service, PO Box 9000, Nottingham NG80 7WP; tel 0844 481 8000; website [www.experian.co.uk](http://www.experian.co.uk)

Equifax plc: Credit File Advice Centre, PO Box 1140, Bradford BD1 5US; website [www.myequifax.co.uk](http://www.myequifax.co.uk)

CallCredit: Consumer Services Team, PO Box 491, Leeds LS3 1WZ; tel 0870 060 1414; website [www.callcredit.co.uk](http://www.callcredit.co.uk)

## Fraud prevention

- 4.11 If false or inaccurate information is provided and fraud is identified or suspected, details may be passed to fraud prevention agencies and may be recorded by us or by them.

- 4.12 Law enforcement agencies may access and use this information.

- 4.13 We and other organisations may also access and use this information to prevent fraud and money laundering, for example when:

- (a) reviewing applications for loans from us (as outlined in Clause 3 above);

- (b) taking steps to recover payments due to us (as outlined in Clause 3 above);

(c) checking details of job applicants and employees. 6

- 4.14 We, and other organisations that may access and use information recorded by fraud prevention agencies, may do so from other countries. 6.1
- 4.15 We can provide the names and addresses of the agencies we use if you would like a copy of your information held by them. Please contact us at the address below. The agencies may charge a fee. 6.2
- 4.16 In the event that Crest Nicholson (or a part thereof including an assignment of your Loan to a third party) is (i) subject to negotiations for the sale of its business or part thereof, or (ii) is sold to a third party or undergoes a re-organisation, you agree that any of your personal information which it holds may be disclosed to such party (or its advisors) as part of any due diligence process or transferred to that re-organised entity or third party and used for the same purposes or for the purpose of analysing any proposed sale or re-organisation 6.3
- 4.17 We may disclose your personal information to third parties, the court service and/or regulators or law enforcement agencies in connection with enquiries, proceedings or investigations by such parties anywhere in the world or in order to enable Crest Nicholson to comply with its regulatory requirements or dialogue with its regulators as applicable. 6.4

## 5 Transmission, storage and security of your personal information

- 5.1 No data transmission over the Internet or website can be guaranteed to be secure from intrusion. However, we maintain commercially reasonable physical, electronic and procedural safeguards to protect your personal information in accordance with data protection legislative requirements. 6.5
- 5.2 All information you provide to us is stored on our secure servers (or secure hard copies) and accessed and used subject to our security policies and standards. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our site or services, you are responsible for keeping this password confidential and for complying with any other security procedures that we notify you of. We ask you not to share a password with anyone. 6.6
- 5.3 Your personal information may be accessed by staff or suppliers in, transferred to, and/or stored at, a destination outside the European Economic Area (EEA) in which data protection laws may be of a lower standard than in the EEA. Regardless of location or whether the person is an employee or contractor we will impose the same data protection safeguards that we deploy inside the EEA. 7
- 5.4 We will retain your personal information for as long as is necessary for the processing purpose for which they were collected. Certain transaction details and correspondence may be retained until the time limit for claims in respect of the transaction has expired or in order to comply with regulatory requirements regarding the retention of such data. Data may also be retained for or included in analysis carried out by Crest Nicholson with respect to its own business. 8

## 6 Your rights & contacting us

You have the right to ask us not to process your personal data for marketing purposes. We will inform you if we intend to use your data for such purposes or if we intend to disclose your information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data. You can also exercise the right at any time by contacting us as set out in paragraph 6.6 below.

The Data Protection Act 1998 gives you the right to access certain personal information held about you. Your right of access can be exercised in accordance with the Act. Any access request may be subject to a fee of £10 to meet our costs in providing you with details of the personal information we hold about you.

We will use reasonable endeavours to ensure that your personal information is accurate. In order to assist us with this, you should notify us of any changes to the personal information that you have provided to us by contacting us as set out in paragraph 6.6 below.

### Contacting us

The registered office address of Crest Nicholson PLC (registered in England under number 1040616) and Crest Nicholson Operations Limited (registered in England under number 1168311) is Crest House, Pyrcroft Road, Chertsey, Surrey, KT16 9GN.

Crest Nicholson South, Crest Nicholson London, Crest Nicholson Eastern, Crest Nicholson South West, Crest Nicholson Chiltern, Crest Nicholson Regeneration and Crest Strategic Projects are operating divisions of Crest Nicholson Operations Limited.

If you have any questions in relation to this policy, please contact our Data Protection Officer at the above address or email [dataprotection@crestnicholson.com](mailto:dataprotection@crestnicholson.com)

## 7 Cookies Policy

- 7.1 Crest Nicholson uses cookies on the Site. To find out more about how Crest Nicholson uses cookies, please see our [Cookie Policy](http://www.crestnicholson.com/legal-information/cookie-policy) at <http://www.crestnicholson.com/legal-information/cookie-policy>

## 8 Changes to our Privacy Policy and/or Cookies Policy

- 8.1 We may change the content of our Site and how we use cookies without notice, and consequently our website privacy policy at <http://www.crestnicholson.com/legal-information/privacy-policy> and our Cookie Policy. We therefore encourage you to review them when you visit the Site from time to time to stay informed of how we are using personal information. If we change the uses of your information collected offline we will provide an update to this Privacy Policy to you.

**Further notices highlighting particular uses (such as direct marketing) we wish to make of your personal information together with the ability to opt in or out may also be provided to you when we collect certain personal information from you.**