



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 a financial and legal interest.

About us

Rothesay Life Plc is an insurance company established in the UK with company registration number 06127279. 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.

Part of our business is to provide loans to **lenders** which they use to provide mortgages to home owners like you. Our loan to your **lender** means that we have a financial and legal interest in your **lender's** mortgage agreement with you. Even though we do not provide the mortgage directly to you, we need to receive information about you from your **lender** so we can check that your **lender** is using our money in accordance with agreed criteria and ensure that we maintain a balanced portfolio of loans. Therefore after the mortgage is provided, we **process** your **personal data** to monitor performance of our loans and check that you are not in breach of the terms of the mortgage, for example by making changes to the property without your lender's agreement. If you are in breach of the terms of your mortgage, we will review your position with your **lender** to determine what action to take to enforce our rights.

We are required to provide you with the information in this privacy notice in order to comply with our legal obligations. Please read it carefully – we take the privacy of your **personal data** very seriously.

About this document

This privacy notice contains information about:

- The **personal data** that we **process** as a **controller**
- The reasons why we **process personal data**
- The legal grounds upon which we **process personal data**
- The security measures that we have in place to keep your **personal data** secure
- How long we store **personal data**
- The organisations with whom we might share **personal data**
- The rights you have under the **data protection laws** in relation to our **processing** of your **personal data**

If you are reading this document electronically you can click on the page numbers shown in the contents table on the next page to jump straight to that page. There are also embedded links throughout the document shown in **bold dark blue** to help you to navigate through the document if reading online.

Understanding the terms used in this privacy notice

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

Contents

What personal data do we process?	Page 4
Why do we process personal data?	Page 4
Legal grounds for processing personal data	Page 5
How do we keep personal data secure?	Page 5
How long do we store personal data?	Page 6
Who has access to personal data?	Page 6
Your rights	Page 8
Contact details	Page 10
Glossary	Page 11

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 (www.rothesaylife.com/data-protection), or can be requested from us using the contact details contained in the part of this privacy notice headed **Contact details**. We will notify you if the purposes for which we **process** your **personal data** change.

What personal data do we process?

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

1. Basic information – name, address, date of birth, marital status, gender
2. Property related information – address, property value
3. Loan related information – loan amount, joint/single loan, cash advance, loan to value ratio
4. 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 determine what action to take. This could include access to **sensitive personal data** such as health information.

We obtain **personal data** about you from your **lender** with whom you have signed a mortgage. We also conduct tracing checks with third parties to verify your address and status.

The purposes for which we **process** your **personal data** are described in the following section of this privacy notice (**Why do we process personal data?**).

Why do we process personal data?

Before your application for a mortgage is approved by your **lender**, we receive information about you, your property and your circumstances from your **lender** to ensure that we are ready to provide the mortgage amount when the mortgage completes. Sometimes your **lender** asks us to review information where you or your property do not fully meet the criteria that we have agreed with your **lender** but your **lender** believes that we may wish to make the loan.

Once the mortgage has been provided, your **lender** collects the payments due under the mortgage on our behalf and needs your **personal data** in order to do this.

Periodically we review and audit the mortgages granted by your **lender** to ensure that they fit the criteria that we have agreed with your **lender**. We therefore need your details to establish whether these criteria have been met.

If you breach the terms of the mortgage, for example by failing to maintain the property or failing to notify us that the property is vacant as you have moved into residential long term care, then your **lender** will inform us and we work with your **lender** to review your position and determine what action to take to enforce our rights.

We will continually review our loans to **lenders** to assess the likelihood of defaults or early repayment, which requires processing of **personal data**. This ensures that we operate our business responsibly and maintain an appropriate level of risk in aggregate across our loan portfolio.

We may decide to sell certain of these loans to another provider like us. In order to do this, we share basic information (as described in 1 above) about the mortgages and mortgage holders to enable the new loan provider to value the loan they will acquire.

Legal grounds for processing personal data

We are allowed to process your **personal data** on certain legal grounds:

- **Legitimate interests pursued by the controller or a third party**

It is necessary for us and your **lender** to process your **personal data** so that:

- we can establish that you, your property and your circumstances meet the criteria to enable us to provide the mortgage amount to your **lender**
- your **lender** can fulfil its obligations under its mortgage with you
- we and your **lender** can collect amounts due under the mortgage
- we can operate our business and sell our loans to other loan providers like us

It is in our interests to carry out reviews across our portfolio of loans to ensure that we operate our business responsibly and do not continue to lend if there are material breaches or if the portfolio in aggregate is not sustainable and gathering increased risks. Our assessment of risk is on an aggregate basis and will not affect the mortgage that you receive from your **lender** or result in any change to the terms of your mortgage.

You can object to **processing** that we carry out on the grounds of legitimate interests. See the section headed **Your rights** to find out how.

- **Establishment, exercise or defence of legal claims**

If you breach the terms of your mortgage, then we and your **lender** need to be able to exercise our legal rights which might require that we **process** your **personal data** in order to review your circumstances and determine what action to take. This may involve processing your **sensitive personal data**.

How do we keep personal data secure?

We take the security of information, infrastructure and applications very seriously. 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. In addition, we are certified to Cyber Essentials, a government-backed scheme demonstrating cyber security.

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** which are compliant 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 personal data?

We will keep your **personal data** for a period of six years from the date of redemption of the mortgage.

Who has access to personal data?

We share **personal data** with a variety of other companies in order to operate our business and make loans to **lenders**. However, we only share the **personal data** that these companies need to provide their services to us. Where required by law or law enforcement authorities, we will share **personal data** with them to comply with law.

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.
- **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**.

Processors with whom we share personal data

1. Lenders

Once we have a legal right in your mortgage, your **lender** provides mortgaging services to us in order to collect payments due from you.

Currently, we engage with the following **lenders**:

- More 2 Life Limited
- Nationwide Building Society
- Pure Retirement Limited
- Responsible Lending
- Topaz Finance Limited (trading as Bloom Homeloans)

2. Tracing agencies

We use these companies in order to check whether you are alive and whether your current address is your place of residence.

3. Professional advisers

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

4. IT service providers

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

5. 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.

6. 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 archiving, document scanning and copying companies, document destruction companies and printers.

Controllers with whom we share personal data

1. Other loan providers like us

If we decide to sell certain of our loans to another provider, we will give them access to basic information that we hold to enable them to value the loans. In this scenario, other loan providers will be a **controller** of your **personal data** but they are only permitted to use the personal data in order to value the loan.

Your rights

You have the following rights under **data protection laws**:

- The right to object to us **processing** your **personal data**
- The right to correct any mistakes in your **personal data**
- The right to restrict our **processing** of your **personal data**
- The right of access to **personal data** relating to you (known as 'Subject Access Requests')
- The right to require us to delete your **personal data**
- Rights in relation to automated decision-making (not relevant here)
- The right to have your personal data provided to another **controller** (not relevant here)

These rights are described in the following section **Your rights in more detail**.

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**.

You can also make a request to exercise your rights via your **lender**. If you choose to do this, your **lender** will notify us and we will respond to your request.

When seeking to exercise any of your rights, please ensure that your request contains sufficient information and supporting documentation to enable us to consider your request and take appropriate action.

There are exemptions that apply to some of your rights. If any of these are applicable such that we are unable to comply with your request to exercise any of your rights, we will confirm this to you when responding to your request and apply those exemptions in accordance with **data protection laws**.

What will happen if your rights are breached?

You might be entitled to compensation for any damage caused by contravention of **data protection laws**.

Your rights in more detail

Your right to object to us processing your personal data

You may object to us **processing** your **personal data** where we rely on a legitimate interest as our legal grounds for **processing**. The section headed **Legal grounds for processing personal data** explains where this is the case.

If you object to us **processing** your **personal data** we will no longer be able to **process** your **personal data** unless we can demonstrate compelling grounds for continuing to do so. We believe we have demonstrated compelling grounds in the section headed **Legal grounds for processing personal data**. However, the key point to note is that, if we cannot continue to **process** your **personal data**, we would be unable to provide the loan which forms your mortgage.

Your right to correct any mistakes in your personal data

You can require us to correct any mistakes (including adding missing information) in any of your **personal data** which we hold.

Your right to restrict our processing of your personal data

You may request that we restrict the **processing** of your **personal data** in any of the following circumstances:

- Where you do not think that your **personal data** is accurate. In this case we will start **processing** again once we have checked the accuracy of your **personal data** and it has been corrected if necessary
- Where the **processing** is unlawful, but you do not want us to erase your **personal data**
- Where we no longer need the **personal data** for the purposes of our **processing**, but you need the data to establish, exercise or defend legal claims
- Where you have objected to **processing** because you believe that your interests should override our legitimate interests. In this case we will start **processing** again once we have checked whether or not our legitimate interests override your interests

If our **processing** is restricted in any of the circumstances described above, we will inform you in advance if that restriction is to be lifted.

Your right to access your personal data (Subject Access Request)

You can ask us to confirm whether we are **processing personal data** relating to you. If we do, you may ask us to provide the following:

- A copy of your **personal data** (please note that, if you want more than one copy of your **personal data**, we reserve the right to charge a reasonable fee based on our administrative costs for the provision of such further copies)
- Details of the purpose for which your **personal data** is being, or is to be, **processed**
- Details of the recipients or classes of recipients to whom your **personal data** is, or might be, disclosed, including, if the recipient is based in a country outside of the European Union, what protections are in place in relation to the transfer to that recipient
- The period for which your **personal data** is held (or the criteria we use to determine how long it is held)
- Any information available about where we obtained your **personal data** from
- Confirmation as to whether we carry out any automated decision-making (including profiling) and, where we do, information about the logic involved and the envisaged outcome or consequences of that decision or profiling

Your right to require us to delete your personal data

You can ask us to delete your **personal data** in any of the following circumstances:

- You believe that we no longer need to **process** it for the purposes set out in this privacy notice
- You had given us consent to **process** it, but you withdraw that consent and there are no other legal grounds upon which we can **process** it
- You have successfully objected to our **processing** it
- It has been **processed** unlawfully or has not been erased when it should have been

Your rights in relation to automated decision-making

You have the right to ask a **controller** to review manually any automated decisions the **controller** makes about you. However, please note that we do not carry out decision-making by automated means in connection with our loans to **lenders**.

Your right to have your personal data provided to another controller

In specified circumstances, an individual can ask a **controller** to provide them with an electronic copy of **personal data** that the **controller** holds, or to have such a copy transmitted directly to another **controller**. Those circumstances do not, however, apply in relation to our **processing of personal data** in connection with our loans to **lenders**. This is because we do not rely on consent as our legal grounds for **processing**.

Contact details

Any queries regarding your mortgage should in the first instance be directed to your **lender**.

The contact details for your **lender** can be found on the contract documentation that you received from them.

How to contact us

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 the **data protection laws**
- 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 us at rl-equityrelease-gdpr@rothesaylife.com or write to:

Compliance – GDPR
Rothesay Life Plc
The Post Building
100 Museum Street
London WC1A 1PB

How to make a complaint

If you have a problem or concern relating to the matters set out in this privacy notice that you would like us to look into, please contact us in the first instance using the details set out above.

We hope that we will be able to address the problem or concern to your satisfaction. However, if you remain unsatisfied you will 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 can be found on its website: www.ico.org.uk.

Glossary

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

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

data protection laws: the **GDPR** and any other data protection or privacy laws, regulations and provisions which apply in the UK from time to time

GDPR: Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (General Data Protection Regulation)

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

personal data: any information from which a living individual can be identified, 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 person or service provider who **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 or condition
- Sexual life or orientation
- Genetic data or biometric data for the purpose of uniquely identifying an individual

Rothsay Life Plc
The Post Building
100 Museum Street
London WC1A 1PB

www.rothesaylife.com

November 2019 (ERM PN)