



## Capital Home Loans Limited (“CHL”) Privacy Policy

This is the CHL Privacy Policy that explains who we are, how we process personal data, what rights you have in relation to personal data held and how to contact us.

### Who we are?

We are **Capital Home Loans Limited**, trading as **chl mortgages**. Our contact details and other relevant information can be found in the “Our contact details” section of this policy. We are the data controller in relation to the personal data processed in accordance with this policy (except where this policy explains otherwise).

### The purposes for which we collect personal data

We collect and process personal data as follows:

#### **If you have or apply for a mortgage (or to vary a mortgage)**

We may collect your personal contact information to communicate with you about your mortgage or mortgage application.

This includes where your mortgage has been transferred to us from another lender and your personal and mortgage loan data from that lender and/or its authorised third-party administrators.

We will also collect other personal information about you to in the course of managing your mortgage or assessing your application, including:

- Details of the relevant property upon which the mortgage is secured.
- Bank account or other financial information (including details about your financial circumstances, personal budget records, bank statements, credit card statements and other personal financial records and your credit history).
- Powers of attorney.
- Other information about you that is included in communications between us in the course of managing the mortgage or application and any related services.

Where you have taken out a loan jointly with another person, we may have obtained your personal information from a co-borrower and/or parties you authorised to communicate with us. If you have not authorised the relevant co-borrower to provide your personal information to us, please let us know as soon as possible.

See also the sections below on:

- Sharing data with the Credit Reference Agency.
- Sharing data with banks and other financial institutions.

Where we explain how we will share your personal data with these third parties, and why.

Your data may also be used in the course of testing and development of new or existing IT systems.

**If someone who has a mortgage with us appoints or designates you to represent them in communicating with us**

We may collect your contact details and limited personal information and use them for the purposes of communicating with you in relation to the mortgage and related affairs of the person who has nominated you to communicate with us.

**If you have or apply for a mortgage (or want to vary a mortgage) with a mortgage provider for which we provide management and administration services.**

We may process your personal information where you apply for, or have, a mortgage that is managed and administered by us. In which case, we may be acting as a data processor on behalf of the relevant mortgage provider, and any processing of your personal data by us will be solely in accordance with the relevant mortgage provider's instructions and under their control. If we are not acting as a data processor, then your personal data will be processed by us in the same way as if the mortgage concerned was with us (see above).

**If you provide goods or services (or you work for someone who supplies goods or services) to us.**

We may collect and store your contact information to enable us or our suppliers to communicate with you about the goods or services provided by you or the person that you work for. We may also collect other personal information about you in the course of provision of the related goods or services. This could include bank account or other financial details, and other information about you that is included in any communications in the provision of the goods or services.

**If we are assessing your suitability or ability to provide goods or services to us or any of our group companies**

We may collect personal information about you, to the extent necessary for the purpose of due diligence assessments – for example, if we need to assess or confirm your identity, your right to work in the UK, your skills and previous experience, your qualifications or whether there is anything that would affect your suitability or ability to provide the goods or services concerned. This will be explained to you in more detail at the time we collect the personal data and, where appropriate, will be subject to your prior consent.

**If you apply for a position with us**

We may collect personal information about you in connection with any application by you for a position with us. In that case, we will explain in more detail at the time how and for what purposes we intend to process the relevant personal information.

**If we wish to send you advertising, marketing or promotional material**

Where we have your consent, we may record your contact details so that we can send you direct marketing material to advertise or promote our goods and services. We may combine this with other information we have collected about the things you are interested in and that are relevant to the services provided by us (for example, when you apply for particular products from us). This helps us make sure that the marketing material we send you is relevant and appropriate to your requirement.

## **If you browse our website**

We may collect information when you use our website about how you move around different sections of the site. This is for analytics purposes, to help us understand how people use our website, so that we can make improvements. We may keep a record of the website content you have clicked on and use that to target advertising on the website to you that is relevant to your interests, which we have identified based on the information we have collected. We might use cookies to do this, which is explained in our cookies policy on our website.

Please do not provide us with personal information about anyone else unless you have their consent to do so.

## **Who we share your personal data with?**

We may where appropriate share your personal data with:

- Appropriate third parties including:
  - our business partners, customers, suppliers and sub-contractors for the exercise of our rights or the performance of our obligations. This applies to your mortgage or in relation to any contract we enter into or other dealings we have in the normal course of business with you or the person that you work for;
  - our auditors, legal advisors and other professional advisors or service providers;
  - credit or other similar reference agencies, for the purpose of assessing your suitability or ability to pay, where this is in the context of us entering (or proposing to enter) into a mortgage or other contract with you or the person that you work for (see the separate section on credit reference agencies, above).
- In relation to information obtained via our website:
  - our advertisers and advertising networks which require the data to select and serve adverts to you and others. We do not disclose information about identifiable individuals to our advertisers, but we will provide them with aggregate information about our users. We may also use such aggregate information to help advertisers reach the kind of audience they want to target. We may make use of the personal data we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience and subject to the cookie section of this policy;
  - analytics and search engine providers that assist us in the improvement and optimisation of our site and subject to our cookies policy.

## **Sharing data with the Credit Reference Agency**

If you apply for or hold a mortgage with us, we may supply your personal information to credit reference agencies and they will give us information about you, such as about your financial history. We do this to assess creditworthiness and product suitability, check your identity, manage your account, trace and recover debts and prevent criminal activity.

We will also continue to exchange information about you with credit reference agencies on an ongoing basis, including information about your settled accounts, any debts not fully repaid on time and continue outstanding beyond the original maturity date. Credit reference agencies could share your information with other organisations. Your data will also be linked to the data of your spouse, any joint applicants or other financial associates.

There are three key credit reference agencies that we use. Their Credit Reference Agency Information Notices (CRAINs) provide details on the data they hold (and for how long), the way they

use and share your information, how they prevent fraud and your data protection rights. Their details can be found below:

- Call Credit: [callcredit.co.uk/crain](http://callcredit.co.uk/crain)
- Equifax: [equifax.co.uk/crain](http://equifax.co.uk/crain)
- Experian: [experian.co.uk/crain](http://experian.co.uk/crain)

### **Sharing data with banks or other financial institutions in relation to the mortgage**

Capital Home Loans Limited is part of a group companies. We may share your data with the following group companies: Landmark Mortgages Limited. They will assist us in providing our services to you. We may share your data with other group companies or companies which come into our group at a later time, if it becomes expedient to involve them in the servicing of your loans. We will only share information with other group companies where we have a legitimate interest in doing so. Typically, this is to facilitate, in an efficient manner, the operation of our business, delivery of our services (including the administration of mortgages), and fulfilment of our legal and contractual duties.

Where, in this Privacy Policy, we talk about the things we will do in relation to your data, it may be that the action is taken by a relevant group company on our behalf.

In some cases, although your mortgage is with us, banks or other financial institutions may have an agreement with us under which we manage and administer the mortgage on their behalf or they have a right to receive income received by us from you in relation to your mortgage.

In these cases, we will remain responsible for managing and administering your mortgage and we will also remain responsible for looking after the personal data relating to your mortgage. However, the relevant banks or other financial institutions may have access to information (including relevant personal data) relating to those of your loans in which they have such an interest, solely for audit and related regulatory purposes.

In all such cases, access will be governed by an agreement with us which restricts the access to, and use of, any information relating to you for anything other than the relevant audit or other regulatory purposes, and to ensure that all information relating to you is kept confidential at all times. Where we share data with a third party and that third party is a joint Data Controller, we will ensure that arrangements are in place to apportion data protection compliance between us and the joint Data Controller.

Banks or other financial institutions may obtain such access from time to time. If you would like any further details about this processing and the extent to which it may affect you, please contact us via one of the channels set out at the end of the policy.

### **Other disclosures we may make**

We may disclose your personal data to third parties:

- In the event that we sell any mortgages or other assets, in which case we may disclose your personal data to the prospective buyer of such business or assets, subject to the terms of this privacy policy.
- If the company or substantially all of its assets are acquired by a third party, in which case personal data held by us about our customers will be one of the transferred assets.
- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation or regulatory instruction.
- In order to enforce or apply our terms of supply and other agreements with you or the person that you work for.
- To protect the rights, property or safety of our business or others. This includes exchanging information with other companies and organisations for the purposes of fraud prevention, or credit risk management.

## **Where we process your personal data**

We normally process personal data only in the UK or within the EU. Where necessary, in order to manage our business, we may share relevant and appropriate personal data with our group companies outside the EU, but only to the extent necessary to provide our services.

Where personal data is transferred in order to provide our services, we will take all reasonable steps necessary to ensure that the appropriate safeguards are in place, such as relying on a recognised legal adequacy mechanism. One example would be by entering into European Commission approved standard contractual clauses in relation to the transfer of personal information – please refer to:

[https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection_en)

We will always endeavour to ensure that your personal data is treated securely and in accordance with this policy.

## **Security of your personal data**

All personal data processed by us is stored securely and the level of security is appropriate to the nature of the data concerned.

Unfortunately, we cannot guarantee that the transmission of information via the internet is completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted by you to our email addresses and any such transmission is at your own risk. Once we have received your information, we will use appropriate procedures and security features to try and prevent unauthorised access.

## **The legal basis for our processing of personal data**

The legal basis on which we process your personal data is as follows:

- Where it is necessary to obtain your prior consent to processing personal data, we will obtain and rely on your consent for the processing concerned (for any processing we are undertaking with your consent, please see the section below headed “Your rights” on how to withdraw your consent).
- Otherwise, we will process your personal data where the processing is necessary:
  - for the performance of a contract (including any relevant mortgage contracts) to which you are a party or in order to take steps at your request prior to entering into such a contract;
  - for compliance with a legal obligation to which we are subject;
  - for the purposes of legitimate interests pursued by us or another person, provided that this will only be in circumstances in which those legitimate interests do not override your interests or fundamental rights and freedoms which require protection of personal data; or
  - for the protection of your vital interests or of another natural person (for example, in the case of a medical emergency).

## **How long we keep your personal data**

We process personal data only for so long as is necessary for the purpose(s) for which it was originally collected, after which it will be deleted, or anonymised except to the extent that it is necessary for us to continue to hold it for the purpose of compliance with legal obligations to which we are subject or for another legitimate and lawful purpose.

## **Your rights**

You have the following rights in relation to personal data relating to you that we process:

- You may request access to the personal data concerned.
- You may request that incorrect personal data that we are processing be rectified.
- In certain circumstances (normally where it is no longer necessary for us to continue to process the personal data), you may be entitled to request that we erase the personal data concerned.
- In circumstances where we are processing your personal data for our legitimate interests, you may have a right to object to that processing.
- Where we are processing your personal data for marketing purposes, you have a right to object to that processing.
- Where we are processing personal data relating to you on the basis of your prior consent to that processing, you may withdraw your consent, after which we shall stop the processing concerned.
- Where we have requested your permission to process your personal information or you have provided us with information for the purposes of entering into a contract with us, you have a right to receive the personal information you provided to us in a portable format.

To exercise any of your rights (including withdrawing consent or obtaining access to your personal data), you should contact us on the detail below.

If you have a complaint regarding any processing of your personal data being conducted by us, you can contact us or lodge a formal complaint with the Information Commissioner.

## **Contacting the regulator**

The Information Commissioner is the supervisory authority in the UK and can provide further information about your rights and our obligations in relation to your personal data, as well as deal with any complaints that you have about our processing of your personal data.

You can contact the ICO using the following details:

Helpline: 0303 123 1113

Website: <https://ico.org.uk/>

## **Our contact details**

Capital Home Loans Limited  
Admiral House  
Harlington Way  
Fleet  
Hampshire  
GU51 4YA

Contact: Data Protection Officer

Phone: 01252 240 112

## **Updates to this policy**

Any changes we make to our Privacy Policy in the future will be posted on this page.

We may also write to you about any changes to our Privacy Policy in the future if it is appropriate.

## **Date of this policy**

This policy was last updated on 22<sup>nd</sup> July 2020.