IMPORTANT INFORMATION
PLEASE READ AND RETAIN A COPY OF THIS DOCUMENT FOR FUTURE REFERENCE

HELIODOR MORTGAGES

PRIVACY NOTICE

The Data Protection Act 2018, allows you greater control over how your personal data is used and also helps in protecting your personal data. As a customer of Heliodor Mortgages this notice is to let you know how we use your personal information (also referred to as your 'personal data'). It also explains your privacy rights and how the law protects you.

Please read this Privacy Notice carefully and in full as it contains important information regarding how we will use your personal data during the life of any agreement we have entered into with you.

Who we are

Heliodor Mortgages is a trading style of Topaz Finance Limited ("Topaz Finance", "we", "us", "our"). To the extent that we determine the manner and the purpose of processing, we acknowledge that we are a data controller of your personal data as such terms are defined in the Data Protection Act 2018 and the General Data Protection Regulation (EU 2016/679 (the "Regulation")).

Our registration can be found in the Information Commissioners Office Public Register of Data Controllers (**www.ico.org.uk**) under registration number Z9736956.

Our Data Protection Officer can be contacted at: Heliodor Mortgages, PO Box 124, Skipton, BD23 9FR.

Our Group companies

Topaz Finance is part of the Pepper Advantage group of companies ("Advantage Group").

We may share your data with other Advantage Group companies or companies which come into the Advantage Group at a later time, if it becomes expedient to involve them in the servicing of your mortgage and/or unsecured loan. We will only share information with other Advantage Group companies where we have a legitimate interest in doing so and where applicable to facilitate, in an efficient manner, the operation of our business, administration and delivery of financial services (including mortgages and unsecured loans), and fulfilment of our legal and contractual duties.

Where, in this Privacy Notice, we talk about the things we will do in relation to your data, it may be that the action is taken by an Advantage Group company on our behalf.

The kinds of personal information we use

We use the following different kinds of personal information about you:

- Personal details such as your full name, current and previous addresses, nationality, length of residency in the UK, date of birth and estimated retirement age, telephone numbers, email addresses and passport, driving licence or National Insurance details;
- Details of your employment circumstances, financial details (such as information about your assets, liabilities, income and expenditure) and credit history;
- Bank account details (Account Number and Sort Code);
- Information passed on by Law Enforcement Agencies;
- Any information which you or a co-borrower provide to us regarding your family, lifestyle and other circumstances (provided always that the information is relevant to the administration of your account);
- Transactional details regarding your accounts with us; and
- We may sometimes collect data regarding your health. However, the law affords special protection to this type of personal data (which is designated 'special category data') and we will only collect it where we have a good reason to do so and the law allows.

Charges for calling 03 numbers are the same as for calls made to standard UK landline phone numbers starting 01 or 02 and are also included in bundled minutes and unlimited call packages.
Calls and secure messages may be monitored and recorded.
Heliodor Mortgages is a trading name of Topaz Finance Limited, a company registered in England & Wales (Company Number 05946900).
Registered address: Harman House, 1 George Street, Uxbridge, London, England UB8 1QQ.
Topaz Finance Limited is authorised and regulated by the Financial Conduct Authority (Firm Reference No. 461671).

Where we obtain your data from

Where your mortgage and/or unsecured loan has been transferred to us from another lender, we have obtained your personal data from that lender.

Much of the personal data we collect will be provided directly by you when you apply for our products and services or when you communicate with us during the course of your relationship with us. Where you contact us by telephone, calls may be recorded for training, quality assurance and regulatory record keeping purposes. We will also generate payment and transaction data as a function of administering your account(s).

Where you hold an account jointly with another person, we may have obtained your personal information from a co-borrower. Similarly, where you have authorised a third party to transact on your account, we may obtain your personal information from such a third party. If you have not authorised the relevant co-borrower or third party to provide your personal information to us, please let us know as soon as possible.

We sometimes also obtain data from the following third parties, with whom we work:

- Asset managers, field agents and Law of Property receivers;
- Our Solicitors;
- Credit Reference Agencies;
- Fraud prevention agencies; and
- Law enforcement agencies or government agencies.

In addition, we may also collect information about you which can be obtained via open data sources and public records (e.g. the electoral register and information openly available via the internet), although we will only do this where it is necessary for the performance of the mortgage and/or unsecured loan contract (e.g. to help us trace you where you have moved house) or where we have a legitimate interest in doing so to enable us to administer your account(s), establish the value and condition of our mortgage security or to collect debts which we are owed. See below under the section "How the law protects you" regarding the grounds on which we use your data.

How we use your data

We use your personal information in the following ways:

- to deliver our products and services to you and manage our business relationship with you;
- to assess a credit related transaction (such as an application for a new party to be added to the account(s) of an existing customer, or an application to vary our security);
- to provide advice to you (where applicable);
- to identify you when you contact us;
- to manage your payments;
- to administer your account (including managing fees, charges, interest and other transactions on the account; and collecting payments which have become due. Payment collection may involve reviewing your account/personal data and contacting you to arrange payment or to discuss your situation);
- to detect, report, and prevent money laundering and financial crime;
- to obey laws and regulations which apply to us;
- to respond to enquiries and complaints which you make;
- to perform training, quality assurance and audit activity;
- to contact you where we need to inform you of changes to the way in which we administer your account, or to remind you of issues relating to the account;
- to meet contractual obligations which we have to third parties in connection with the administration of your account;
- to manage our business in an efficient and proper manner, including the management of our financial position, our resources, the risks to which we are exposed and the way in which we arrange our internal operations; and
- to undertake customer research, modelling, statistical analysis and trend analysis; and
- to provide you with relevant marketing information regarding our products and services;

There are further details below regarding situations where we share your personal data with a person or company outside the Advantage Group.

Applications for credit

Where you have submitted an application for a mortgage and (where applicable) unsecured loan, we will send your data to credit reference agencies and fraud prevention agencies. Our search will leave a footprint which is visible to other lenders. Further details in relation to credit reference agencies and fraud prevention agencies can be found in the Appendix.

Where you commence but do not complete an application, or where your application does not proceed to a contract being concluded (or varied) then, we will still retain such personal data as you have submitted to us in accordance with our data retention policy (see 'Retention Periods' section below).

By submitting your application to us, you have confirmed that you agree to our use of your data in accordance with this Privacy Notice.

Automated processing

As part of the processing of your personal data, decisions may be made by automated means. We may automatically decide that you pose a fraud or money laundering risk if:

(i) our processing reveals your behaviour to be consistent with that of known fraudsters or money launderers; or is inconsistent with your previous submissions; or
(ii) you appear to have deliberately hidden your true identity.

You have rights in relation to automated decision making (including a right to object). If you want to know more please see below, under "Your rights" or please contact us.

How the law protects you

The law says that we may only use your personal data where we have a lawful basis for doing so. We use your data on the following bases:

- **because it is necessary to enter into, manage, perform and fulfil our contract with you (or to carry out, at your request, steps prior to entering into a contract with you).** This ground **("the contractual ground")** applies to most of the ways in which we use your personal data;
- **because you have consented to a specific use of your data.** This applies in relation to any “special categories” of data which we collect from you, including data about your health. (“special category” data is sensitive information relating to matters such as health issues, which are given special protection under the law). It can also apply when we send you marketing material with your consent and this is not sent for another reason, such as to fulfil our contract with you, or because we have a ‘legitimate interest’ (see below). This also applies where you provide consent for your data to be passed to selected third parties to provide services to you (such as independent mortgage advice);
- **because it is necessary to comply with a legal obligation.** This applies (in addition to the contractual ground) to circumstances where we disclose your information to a public body (such as the police) or a private person (such as a Trustee in Bankruptcy) who is empowered to demand that we provide it. It also applies (in addition to the contractual ground) to our identity verification checks and account monitoring activity (including call recording), which is needed in order to comply with financial crime legislation and in order to meet financial regulation;
- **because it is necessary for a recognised legitimate interest under applicable data protection law.** This applies to activities we undertake to help detect, investigate or prevent crime. It may involve sharing your personal information, including with fraud prevention agencies and law enforcement authorities, where this is necessary for the purposes of detecting, investigating or preventing crime. This helps protect both your financial security and that of our other customers. These activities may include (among other things):
    - Monitoring, screening, and investigating any relevant payments, instructions, or communications you send or receive;

    - Sharing information with relevant agencies if we believe you have provided false or inaccurate information or if we suspect criminal activity.
- **because it is necessary for the purposes of our own legitimate interests.** This applies in addition to the contractual ground to many of the ways in which we use your data. It also applies to 'higher level' activities which are not strictly necessary to the performance of our contract with you, such as reviews, audits, analysis and reports (including the production of financial and statistical information) which are undertaken as part of our legitimate interest in arranging the sound internal management and governance of our business. We might have a legitimate interest to send you marketing material where we identify a business or commercial reason to do so and we believe it does not conflict unfairly with your own interests. It also applies to circumstances where we disclose your data to:
    - a third party (such as a regulator or joint borrower) because we need to do so to defend our rights or standing;
    - an investor (who has funded our acquisition of your mortgage and/or unsecured loan, in accordance with our legitimate interest of financing our business, managing our risks and offering a 'legal title holder' service to clients);
    - a company to whom an investor has outsourced delivery of services to provide insight of their investment (e.g. auditing);
    - a credit reference agency (in accordance with our legitimate interest in maintaining membership of the credit reporting community);
    - a company to whom we have outsourced the delivery of some or all of our services (in accordance with our legitimate interest in managing our business efficiently);
    - our auditors/accountants; or
    - anyone who takes, or is considering taking, a transfer, assignment, charge or other disposal of all or part of our interest in your mortgage and/or unsecured loan, or who takes, or is considering taking, a transfer of all or some of our obligations under these agreements. This is in accordance with our legitimate interest in complying with contractual obligations which we owe to investors who have funded our acquisition of your mortgage or unsecured loan and who are seeking to transfer their investment; and in accordance with our wider legitimate interest in financing our business, managing our risks and offering a 'legal title holder' service to clients.

Third parties with whom we share your data

We may share your data with the following recipients:

- Companies to whom we outsource the delivery of some or all of our services;
- Investors (who have funded our acquisition of your mortgage and/or unsecured loan);
- Companies who our investors have outsourced delivery of their services;
- Selected third parties to enable them to provide details of services they can provide to you (such as independent mortgage advice) where you have expressly opted in or consented to this;
- Agents acting on our behalf to assist in managing the account or collecting money owed (e.g. field agents, tracing agents, property valuers, Law of Property receivers (who are appointed by us but legally act as your agent) and asset managers);
- Companies who assist us in collecting payments such as card service providers, banks or building societies;
- Credit reference agencies: in connection with a contract variation application and as part of the ongoing administration of your account (including payment performance reporting). See Appendix for further details;
- Trusted third party companies, who may contact you on our behalf to conduct surveys and gather customer feedback;
- Our insurers;
- Fraud prevention agencies: In connection with a change of parties application and as part of our ongoing financial crime and anti-money laundering monitoring and reporting activity. See Appendix for further details;
- Regulators (such as the Financial Conduct Authority, the Financial Ombudsman Service and the Information Commissioner) where they have asked for information or it is reasonable for us to provide it in defence of our position;
- Public bodies (such as law enforcement agencies); and private persons (such as a Trustee in Bankruptcy) who are empowered at law to require us to provide information;
- Joint borrowers on your account and third parties with whom you have authorised us to

communicate;
- Solicitors who act on our behalf;
- Our auditors/accountants;
- Third parties who assert rights in relation to our security property, where such disclosure is necessary to defend our legal rights; and
- Anyone who takes, or is considering taking, a transfer, assignment, charge or other disposal of all or part of our interest in your mortgage and/or unsecured loan, or who takes, or is considering taking, a transfer of all or some of our obligations under these agreements.

Transfers outside of the European Economic Area ('EEA')

Where we send your personal data outside of the EEA, including where we may send your personal data to investors (as described above), we will always ensure adequate measures are in place to safeguard it and to ensure you can exercise your rights effectively.

Where we do so, it is possible that they, or firms acting on their behalf, may transmit the data onwards to an entity outside of the EEA (for example, a member of their group based outside of the EEA).

Retention periods

All information will be retained for as long as you are a customer of Heliodor Mortgages.

When you are no longer a customer we will keep your data only for as long as it is needed to respond to any questions or complaints, to demonstrate that we have treated you fairly and to comply with the legal and regulatory requirements to which we are subject. This usually means we will keep your data for up to 7 years after your mortgage account is closed; however, we may hold your data for longer if we cannot delete this for legal or regulatory purposes.

Where you fail to provide personal data which we have requested

If you fail to provide all of the information which we ask for as part of an application for credit (for example, by way of a 'change of parties' application or an application to vary to your loan contract), we will usually discontinue your application, although there may be cases in which we are willing to make an exception.

Your rights

Subject to any overriding legal obligations, requirements and/or exemptions, you have the right to:

- be informed about the processing of your personal data;
- withdraw your consent to the use of your personal data, where that use is undertaken on the basis of consent (see above);
- receive an explanation about any automated decision making we may do (including profiling) and to request human intervention, or that it is ceased;
- object to our processing of your personal data where it is based exclusively on our legitimate interests (see above);
- request the restriction of the processing of your personal data;
- ask us to correct personal data which we may hold about you which is inaccurate or complete your personal data where our records are incomplete;
- request the erasure of personal data where it is no longer necessary for the purpose(s) for which it was originally collected;
- request receipt or transmission to another organisation, in a structured, commonly used and machine-readable format the personal data that you have provided to us (data portability); and
- upon applying to us in writing or by telephone, to obtain personal data held by us about you

Please note that we may ask you to provide a form of identification verification before we can give effect to any such request made by you.

To exercise any of these rights, to contact us regarding our processing of your personal data, or to make a complaint about our data processing activities, please write to:

The Data Protection Officer, Heliodor Mortgages, PO Box 124, Skipton, BD23 9FR, or call 0370 703 0312. Monday to Friday 9am - 6pm.

We very much hope that we are able to resolve any complaints you have in respect of our processing, however you should be aware that you also have the right to make a complaint about our data processing activities to a supervisory authority. For the UK, this is the Information Commissioner's Office, at **ico.org.uk**

Appendix

Where you have applied for a new loan or submitted a 'change of parties' application: further details regarding our use of Credit Reference Agencies and Fraud Prevention Agencies

In considering your application, we will search your records at credit reference agencies and fraud prevention agencies (for the purposes of preventing fraud and money-laundering, and to verify your identity). These checks require us to share the information you have provided with the relevant agencies. This includes information such as your: name; date of birth; residential address and address history; contact detail such as e-mail addresses and telephone numbers; financial information and employment details. When we and fraud prevention agencies process your personal data for fraud prevention purposes, we do so because we have a legitimate interest in preventing fraud and money-laundering and to verify your identity, in order to protect our business and to comply with relevant laws. By proceeding with your application, you are also agreeing to such processing.

We will add to your records details of our searches, whether or not this application proceeds, and your application and these search results will be seen by other organisations that make searches.

Credit reference agencies:

We may use a credit scoring system when assessing your application. We may also make periodic searches of your records during the life of any agreement which we enter into with you.

In connection with pre-contractual eligibility assessments and/or any agreement we enter into with you we may search records at credit reference agencies, which may be linked to your spouse/partner, or other persons with whom you are linked financially. For the purposes of this application you may be treated as financially linked and you will be assessed with reference to "associated records".

You agree that we may hold and process by computer or otherwise any information obtained about you in connection with pre-contractual eligibility assessments and/or any agreement we enter into with you and/or any other applications you have made to us, or any other agreement you may have with us.

When credit reference agencies receive a search from us they will:

i. Place a search "footprint" on your credit file whether or not this application proceeds. If the search was for a credit application the record of that search (but not the name of the organisation that carried it out) may be seen by other organisations when you apply for credit in the future;
ii. Link together the records of you and anyone that you have advised is your financial associate including previous and subsequent names of parties to the account. Links between financial associates will remain on your and their files until such time as you or your spouse/partner, or other persons with whom you are linked financially successfully files for a disassociation with the credit reference agencies;
iii. They will also supply to us credit information such as:

    a) previous applications and the conduct of the accounts in your name and of your associate(s) and/or your business accounts;
    b) Public information such as County Court Judgments (CCJ's) and bankruptcies;
    c) Electoral Register information; and
    d) Fraud prevention information;

If you are provided with a finance facility, details of the facility, and your record of making the payments due under your it, will be shared with credit reference agencies who will record (amongst other things) missed payments and the total amount of outstanding debt. These records will be shared with other organisations and may be used by us and them to:

i. consider applications for credit and credit related services, for you and any associated person; and
ii. trace debtors, recover debts, prevent or detect money laundering and fraud and to manage your account(s).

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Calls and secure messages may be monitored and recorded.
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Records shared with credit reference agencies remain on file for 6 years after they are closed (whether settled by you or defaulted).

The Credit Reference Agencies which we may use are:

- **Equifax Ltd**;
- **TransUnion Information Group Limited**; and
- **Experian Ltd**.

For information how each of these agencies use and share your personal data that it receives this is available at:

www.equifax.co.uk/privacy-hub/ein;

www.transunion.co.uk/legal-information/bureau-privacy-notice; and

www.experian.co.uk/privacy/privacy-and-your-data

For further information regarding how Credit Reference Agencies use your data in credit activity see the Credit Reference Agencies Information Notice, available at:

www.equifax.co.uk/privacy-hub/crain;

www.transunion.co.uk/crain; and

www.experian.co.uk/crain

Fraud prevention agencies:

We and other organisations may access and use your information to prevent fraud and money laundering, for example when:

a) checking details on applications for credit and credit related facilities;
b) managing credit and credit related accounts or facilities;
c) recovering debt;
d) checking details on proposals and claims for all types for insurance; and
e) checking details of job applicants and employees.

This will include sharing information you have provided to us with fraud prevention agencies and conducting searches for similar applications which you have made to other lenders. If fraud is suspected, details of your application will be shared with the agencies and other lenders.

We and other organisations may access and use from other countries the information recorded by fraud prevention agencies. This will include searches for similar applications which you have made to other lenders.

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the services and financing you have requested, or we may stop providing existing services to you. The records held at fraud prevention agencies may result in others refusing to provide services, financing or employment to you. Fraud prevention agencies will retain your data for up to six years.

If you give false or inaccurate information and fraud is identified, details (along with the names of your directors, where you are a company) will be passed to fraud prevention agencies. Law enforcement agencies may access and use this information.

Where you are a company, you will inform all your directors of this notice.

Please contact us as detailed above if you want to receive details of the fraud prevention agencies which we use.