



## **FARM AND COUNTRY FINANCE CUSTOMER FAIR PROCESSING NOTICE – YOUR DATA AND WHAT WE DO WITH IT**

### **1. Introduction and further information**

The information within this fair processing notice tells you how we will use the personal data provided to us under data protection laws.

Farm and Country Finance is a trading name of L & G Bracegirdle Limited whose registered office is Waterlea House North Rode Congleton Cheshire CW12 2PH and whose trading office is PO Box 39 Congleton Cheshire CW12 2FG. The company is registered in England & Wales number 4103518. L & G Bracegirdle Limited is an Authorised Representative of Runwell Enterprises Limited which is authorised and regulated by the Financial Conduct Authority under reference 308003. These companies are hereinafter referred to as “we” or “us”.

We will collect your personal data where either you or a company, person or other entity with whom you are associated, or are acting as a guarantor, makes an enquiry or application with a view to us arranging a loan offer for you or your receiving information about a potential loan offer or, where applicable, loan offers, entering into a contract with us to arrange a loan offer, or where we provide any other service, including post completion of the arrangement of a loan offer or of any loan resulting from a loan offer we arrange, or the provision of a service. Loan offer means includes and is the same as an offer of the main terms of a loan facility, loan offer letter, loan agreement, offer of loan mortgage or finance, credit or finance agreement or any such other name as it shall be referred to by a lender and whether conditional or otherwise. Collectively, all these things, in the entirety of this paragraph, will be referred to as “Our Relationship”.

This fair processing notice sets out how we will use the data we collect arising from Our Relationship.

### **2. What is personal data?**

Personal data broadly means information that relates to an identified or identifiable living individual (“identifiable” refers to being able to identify the living individual when the information held is combined with other information).

### **3. What types of personal data might we hold about you?**

We will collect and use personal data about you that is provided to us during Our Relationship. For example, by filling in any forms or applications, or by corresponding with us by telephone (calls may be recorded for quality and monitoring purposes), email, post or via our website. We may also collect and use personal data about you that we obtain from third parties or from agencies or persons or organisations acting on your behalf (as set out in Section 7 below).

We may hold any or all of the following personal data about you:

- personal details such as your name, title, gender, age, date of birth, contact details (e.g. your address and previous addresses, email, telephone and mobile numbers);
- details contained within your passport or any other identification provided to us during Our Relationship;
- details of your professional advisers, for example, your accountant and/or solicitors and any other person acting for you;
- records of how you have contacted us and, if you visit our webpage, your IP address;
- details of your family, lifestyle and social circumstances. This could include details about your current marriage or civil partnership, any previous relationships and details of your family and dependents;
- employment details such as your earnings, length of service, employment and career history, recruitment and termination details, attendance record, job title and retirement status;
- your financial details such as income, salary, savings, expenditure, existing loans/borrowings, assets, investments, bank account details, financial status, tax position, existing or previous bankruptcies, court judgments against you or other insolvency arrangements and whether you are receiving benefits;

- occupier status, residency or citizen status and/or nationality;
- any information that you choose to provide us with in connection with Our Relationship. We will only store this information to the extent it is necessary to manage Our Relationship.

If Our Relationship arises on behalf of a company in whose name it is intended to arrange a loan offer or offers, or other entity, or if you have a guarantor, then we may also hold and process the personal data of any company director(s) or, where applicable, the guarantor(s).

#### **4. How long do we hold your personal data for?**

We will hold your personal data on our systems for:

- as long as is necessary for the processing of Our Relationship and subsequently we may hold it for a period not exceeding that which is set out in the Limitation Act 1980 and the Latent Damage Act 1986 so that we may attend to any matters that you, or third parties acting for you, may raise with us during this time. The maximum period will be fifteen years.
- In any case where Our Relationship does not result in the completion of a loan for a further period of 18 months, except where you have opted to receive communications from us in the future.

#### **5. Using your information in accordance with data protection laws**

Data protection laws require that we meet certain legal grounds and that we explain to you the reasons why we have met those legal grounds before we are allowed to use your personal data as set out in this fair processing notice. Here are the legal grounds that are relevant to us (more than one ground may be relevant to each processing):

##### **a. Contract**

We are permitted to hold and process this information because it is necessary to do so in order for us to provide our services in accordance with the terms thereof and to process Our Relationship. Without your information we cannot do this.

##### **b. Legitimate Interests**

We also rely on a condition known as "legitimate interests". It is in our legitimate interests to collect your personal data as it provides us with the information that we need to provide our services in accordance with the terms thereof, to process Our Relationship and to deal with any matters that might arise following the provision of our services and the completion of a loan arising from a loan offer we arrange.

##### **c. Consent**

We may also rely on your consent to use your personal data in certain ways (for example, in some circumstances to maintain contact with you in the future).

##### **d. Legal obligation**

Where there is a legal requirement upon us to record, retain or share your personal data with authorities, we must do so. For example, to comply with laws and regulations which govern our business.

#### **6. What do we do with your personal data?**

We will use your information to consider Our Relationship and for the subsequent administration and management of it. For example, we may use your personal data:

- to confirm your identity and other details, such as your address and income;
- to prevent and detect crime, including fraud and money laundering;
- to comply with legal and regulatory obligations;
- to provide our service in accordance with the terms thereof and to ensure we and you meet our mutual obligations;
- to calculate your payments and for the purposes of information we may provide to you;
- to respond to requests from you enforcing your rights under data protection law (an explanation of these rights is set out at section 10) ("Data Subject Requests") that you may submit to us or via a third party;
- to understand if you have further financing requirements;
- to deal with queries relating to Our Relationship;

- to communicate with you or third parties (see sections 7 and 8 below) about Our Relationship or in accordance with our mutual obligations;
- to improve our customer service experience;
- to improve our understanding of our customer base;
- to carry out staff training and quality assurance checks;
- to improve our processes;
- to send you marketing information (if we are permitted to do so). Our marketing policy is only to send communications, usually by email (but not always), to simply remind our customers that we are still there and available should they need us and for the purposes of sending out anything that we think might be of interest to them.

## **7. How we use your personal data**

As well as you providing us with personal data throughout the duration of Our Relationship we or any lender or third party to whom we introduce business (for the purposes of this section referred to as "Parties") may also search your records at credit reference and fraud prevention agencies ("Agencies") and share information with Agencies as set out below.

The identities of the Agencies, their role also as fraud prevention agencies, the data they hold, the ways in which they use and share personal data, data retention periods and your data protection rights with the Agencies are explained in more detail in the Credit Reference Agency Information Notice. An example of a copy of this notice can be downloaded from [www.equifax.co.uk/crain](http://www.equifax.co.uk/crain).

### **a. Receiving information from Agencies**

The Agencies may supply the Parties with your personal data including credit information, such as previous applications, identity checks, credit checks, the conduct of accounts in your and your financial associate's name, any business accounts you have, fraud prevention information and public information such as County Court Judgments, bankruptcies and the Electoral Register. The Parties may receive this information via searches we make during Our Relationship or in accordance with their own fair processing policies, which will be made available to you at the appropriate time. A record of any search will be made by the Agencies and seen by other lenders on any future searches made. A large number of applications and associated searches within a short period of time could affect your ability to obtain credit.

If you are a director or partner in a small business, the Parties may also carry out a check on your business and in doing so they may obtain your personal data from Agencies.

### **b. Receiving "associated records" from Agencies**

The Parties may search your records at an Agency, which may be linked to records relating to your spouse or partner, or other persons with whom you have, or have had a joint finance agreement, or made a credit application ("Associate"). You and any Associates may be treated as financially linked.

### **c. Sharing information with Agencies**

Any lender may add to your records with the Agencies details of any agreement with them, your loan, the payments you make under it and any arrears, default or failure to make payments and any change of name or address. In doing so, they will provide the Agencies with your personal data, including your account information. Account information given to Agencies remains on file for 6 years after the account is closed, whether settled by you or upon default.

These records will be shared by the Agencies with other organisations (such as lenders and fraud prevention agencies), who may access your information from other countries and may be used and searched by us and them to consider:

- applications for credit and credit related services, such as insurance, for you and any Associates (please see above) or members of your household; and
- to trace debtors, recover debts, prevent or detect money laundering and fraud, to manage your account(s).

If you are a director or partner in a small business, any lender may also complete a check on your business and in doing so supply your personal data to Agencies.

#### **d. Sharing information with Agencies in respect of Joint Applications**

Where you apply for a loan jointly with another applicant or applicants, by making this application jointly (whether or not the joint application proceeds) Agencies may create an association between you and the other applicant(s), which will link your financial records and the Agency may treat you as Associates. Your Associate's information held by Agencies may be taken into account when a future search is made by a lender or another company, until you tell the Agencies that you are no longer financially linked, and the Agencies accept this.

#### **e. Law Enforcement and Fraud Protection**

It is important that you provide us with accurate information and satisfy yourself that we have captured your information accurately. We will act in good faith on the information you provide.

The personal data we have collected from you will be shared with fraud prevention agencies ("FPAs") who will use it to prevent fraud and money-laundering and to verify your identity. If fraud is detected, you could be refused certain services, finance, or employment. Further details of how your information will be used by us and FPAs, and your data protection rights, can be downloaded from [www.cifas.org.uk/privacy-notice](http://www.cifas.org.uk/privacy-notice).

If false or inaccurate information is provided and fraud is identified, details may be passed to the relevant law enforcement agency. We, lenders, FPAs and law enforcement agencies may access and use the personal data that you submit to us to prevent fraud, for anti-money laundering or to verify your identity, for example, when:

- checking details on applications for a loan offer, 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; and
- checking details of job applicants and employees.

#### **f. Automated Decision-Making**

Lender(s) may use automated decision-making to carry out the following activities:

- to determine your financial situation and to make decisions about whether to accept your loan application, the products which you are applicable for and the terms of your loan (including the price);
- for account management purposes;
- to efficiently manage their loan book;
- to obtain and collate information from Agencies (in the manner set out in section 7a above); and
- to send you alerts and communications about your loan that may be appropriate for you and your circumstances.

Application decisions may be taken based on solely automated checks of information from Agencies and any a lender or lenders' records.

### **8. How we share your personal data**

We will pass your personal data to lenders and to third parties who have access to sources of a loan offer that we believe are appropriate to your circumstances.

We may pass your personal data to other third parties as follows or in the following circumstances. We will only share your information with these third parties on a limited basis and, where appropriate:

- where necessary between L & G Bracegirdle Limited and Runwell Enterprises Limited both of which are situated at the same premises.
- agents that are acting on your behalf such as solicitors or persons who have introduced you to us or with your permission.
- a lender or lenders or our professional advisors such as valuers, accountants, surveyors and solicitors;
- it is required for the purposes of assessing or dealing with Our Relationship or any subsequent queries relating to it;
- to third parties in relation to our mutual obligations under our service agreement;
- we are required by law and/or by law enforcement agencies, government entities, tax authorities or regulatory bodies;

- to third party suppliers acting on our behalf, such as companies that provide web hosting services;
- to credit reference and fraud prevention agencies;
- where required for a sale, reorganisation, transfer or other transaction relating to our business;
- we are responding to or assisting in the response to your submission of a Data Subject Request to us or a third party;

## 9. Your rights

You have a number of rights under data protection laws in relation to the way we process your personal data. These are set out below. You may contact us using the details below to exercise any of these rights and we will respond to any request received from you within one month from the date of the request. The information will usually be provided free of charge.

RIGHT	DESCRIPTION
One	A right to access personal data held by us about you.
Two	A right to require us to rectify any inaccurate personal data held by us about you.
Three	A right to require us to erase personal data held by us about you. This right will only apply where (for example): we no longer need to use the personal data to achieve the purpose we collected it for; or where you withdraw your consent (if we are using your personal data based on your consent); or where you object to the way we process your data (in line with Right 6 below).
Four	A right to restrict our processing of personal data held by us about you. This right will only apply where (for example): you dispute the accuracy of the personal data held by us; or where you would have the right to require us to erase the personal data but would prefer that our processing is restricted instead; or where we no longer need to use the personal data to achieve the purpose we collected it for..
Five	A right to receive personal data, which you have provided to us, in a structured, commonly used and machine readable format. You also have the right to require us to transfer this personal data to another organisation, at your request.
Six	A right to object to our processing of your personal data (including for the purposes of sending marketing materials to you).
Seven	A right to withdraw your consent, where we are relying on it to use your personal data (for example, to provide you with marketing information about our services).

If you would like to exercise the rights listed above, you can send a request:

- By mail to: Farm and Country Finance PO Box 39 Congleton Cheshire CW12 2FG enclosing details of your full name(s) and address(es).
- By e-mail to: [info@farmershelpline.co.uk](mailto:info@farmershelpline.co.uk)
- By telephone to: 01260 223540

## 10. Any complaints?

If you are not happy with the way in which your personal data is held or processed by us, or if you are not satisfied with our handling of any request by you in relation to your rights or any automated profiling that we carry out, our Data Protection Officer, would be happy to help. You can contact our Data Protection Officer at Farm and Country Finance PO Box 39 Congleton Cheshire CW12 2FG telephone 01260 223540 eMail [info@farmandcountryfinance.co.uk](mailto:info@farmandcountryfinance.co.uk) .

Alternatively, you have the right to complain to the Information Commissioner's Office (ICO) by calling 0303 123 1113. The ICO is the UK's independent body set up to uphold information rights. You can find out more about the ICO on its website (<https://ico.org.uk>)