

About You

Personal Information
and how we use it

The Data Protection Act
and how it protects you

Who are TMB?

Set up in 1989, TMB introduced a fresh approach to meeting the needs of clients with specialist circumstances, particularly the self-employed.

As well as developing our ever-popular 'True' Self-certification product we were a pioneer of flexible mortgages and a key innovator in the buy to let market.

At TMB we've always believed in the human touch and we look at every single application individually. That way we can truly take your personal circumstances into account.

Our underwriters, New Business Consultants and Customer Service teams are all committed to offering you the very best level of service.

The Data Protection Act puts obligations on users of personal information and lays down principles for its use. One principle states that information has to be processed fairly and lawfully. This means that you are entitled to know how we intend to use any information you provide. You can then decide whether you want to give it to us.

To provide outstanding customer service we need accurate customer information. You can help by informing us whenever your circumstances change.

Organisations must lodge a notification with the Information Commissioner describing the purposes for which they process personal information.

The details are publicly available from the Commissioner's office at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF (Tel **01625 545745**. Fax 01625 524510). Alternatively, see the Commissioner's website (**www.informationcommissioner.gov.uk**).

How do we use your personal information?

Our main use of your personal information is to look after your account or to provide the specific service you require. Some details we obtain elsewhere – from credit reference agencies or your employer for instance.

If you apply to Halifax General Insurance for insurance we will pass your details to the insurer. If you make a claim, any information you give to us, or to the insurer, may be put onto a register of claims and shared with other insurers to prevent fraudulent claims. A list of the participants is available from the insurer.

Occasionally, members of our group of companies may contact you by letter, telephone, e-mail or otherwise to inform you about other products and services that may interest you. We try to limit our customer contact programme to acceptable levels, but if you wish to exercise your right to opt out, simply let us know by any means convenient for you. Alternatively you can write to us at Data Unit, PO Box 548, Leeds, LS1 1WU.

Remember, however, that opting out could stop us contacting you about any of our products or services that may benefit you. For example, you may not hear about a new product that could offer you a better rate or could save you money.

Unless you have given us your consent, we will not provide information about you to companies outside our group to use for their own marketing purposes. We disclose information about our customers only with their consent, or if we are required to do so by law. Sometimes we need to give information to our agents and subcontractors so that they can provide a particular service for us. Sometimes, these companies may be located abroad in countries that do not have data protection laws. In these circumstances we always take great care to ensure that your personal information is kept safe and secure. Your information may also be shared by other members of our group to keep their records up to date and administer your relationship with them.

We are also committed to meeting the standards set by the Banking Code, copies of which are available on their website (www.bba.org.uk). Occasionally, the Banking Code Standards Board's compliance monitoring body audits a sample of our customer records to assess our compliance with the Code. Whenever this happens, strict confidentiality conditions are always imposed.

Under the Data Protection Act you have the right of access to your personal data. The Act allows us to charge a fee of £10 for this service. If anything is inaccurate or incorrect, please let us know and we will correct it.

If you do not want to receive unsolicited mail from other companies, you can prevent this by registering with the Mailing Preference Service. In addition, the Telephone and

Fax Preference Services enable you to object to receiving unsolicited marketing phone calls or faxes from other companies. To register, simply telephone the appropriate number i.e.

Mailing Preference – **020 7291 3310**

Telephone Preference – **020 7291 3320**

Fax Preference – **020 7291 3330**

Alternatively you can register online – **www.t-m-b.co.uk**

For more details about all the Preference Services, please see the Direct Marketing Association's web site (**www.dma.org.uk**).

Credit referencing

If you apply for any of our products, we will perform a search with a credit reference agency. We may give details of your account and how you conduct it to credit reference agencies. Similar information may also be given about your other lending/credit relationships with members of the Lloyds Banking Group. If you borrow and do not repay in full and on time, we may tell credit reference agencies who will record the outstanding debt.

The information below provides further details about how credit reference agencies, TMB and other lenders use your information.

Q: What is a credit reference agency?

A: Credit reference agencies (CRAs) collect and maintain information on consumers' and businesses' credit behaviour, on behalf of lenders in the UK.

Q: What is a fraud prevention agency?

A: Fraud Prevention Agencies (FPAs) collect, maintain and share information on known and suspected fraudulent activity. Some CRAs also act as FPAs.

Q: Why do you use them when I have applied to your organisation?

A: Although you have applied to TMB and we will check our own records, we will also contact CRAs to get information on your credit behaviour with other organisations. This will help us make the best possible assessment of your overall situation before we make a decision.

Q: Where do they get the information?

A: Publicly available information:

- The Electoral Register at Local Authorities.
- County Court Judgements from Registry Trust.
- Bankruptcy information from the Insolvency Service
- Fraud information from fraud prevention agencies.
- Credit information comes from information on applications to banks, building societies, credit card companies etc and also from the conduct of those accounts.

Q: How will I know if my information is to be sent to a CRA or FPA?

A: You will be told when you apply for an account if your data will be supplied. The next section tells you how, when and why we will search the CRAs and what we will do with the information we obtain from them. We will also tell you if we plan to send payment history information on you or your business, if you have one, to CRAs. You can ask at any time for the name of the CRAs and FPAs used by TMB.

Q: Why is my data used in this way?

A: We and other organisations want to make the best possible decisions we can, in order to make sure that you, or your business, will be able to repay us. Some organisations may also use the information to check your identity. In this way we can ensure that we all make responsible decisions. At the same time we also want to make decisions quickly and easily and, by using up to date information, provided electronically, we are able to make the most reliable and fair decisions possible.

Q: Who controls what credit reference agencies are allowed to do with my data?

A: All organisations that collect and process personal data are regulated by the Data Protection Act 1998, overseen by the Office of the Information Commissioner. All credit reference agencies are in regular dialogue with the Commissioner. Use of the Electoral Register is controlled under the Representation of the People Act 2000.

Q: Can just anyone look at my data held at credit reference agencies?

A: No, access to your information is very strictly controlled and only those that are entitled to do so may see it. Usually that will only be with your agreement or (very occasionally) if there is a legal requirement.

What we do:

1. When you apply to us to open an account, we will:-

- a. Check our own records for information on:
 - i. Your personal accounts;
 - ii. And, if you have one, your spouse/(personal) partner's personal accounts (A personal partner will be someone with whom you have a relationship that creates a joint financial unit in a similar way to a married couple. You will normally, but not necessarily, be living at the same address. It is not intended to include temporary arrangements such as students or flat sharers);
 - iii. If you are a director or partner in a small business we may also check on your business accounts (A small business is defined as an organisation, which might be sole trader, partnership or a limited company that has three or less partners or directors).
- b. Search at credit reference agencies for information on:
 - i. Your personal accounts;
 - ii. And, if you have ever done the following we will check your financial associate's personal accounts as well;
 - Are making a joint application now;
 - Previously made joint applications;
 - Have joint account(s);
 - Are financially linked (Credit reference agencies may link together the records of people that are part of a financial unit. They may do this when people are known to be linked, such as being married or having jointly applied for credit or have joint accounts. They may also link people together if they, themselves, state that they are financially linked).
 - If there is insufficient information to enable us to assist you, we may also check other members of your family;
 - If you are a director or partner in a small business we may also check on your business accounts;
 - Search at fraud prevention agencies for information on you and other members of your household and your business (if you have one).

2. What we do with the information you supply to us as part of the application:

- a. Information that is supplied to us will be sent to the credit reference agencies.
- b. If you tell us that you have a spouse or (personal) partner, we will:
 - i. Search, link and/or record information at credit reference agencies about you both;
 - ii. Link joint applicants and/or any individual identified as your spouse or partner, in our own records;
 - iii. Take both your and their information into account in future applications by either or both of you;
 - iv. Continue this linking until the account closes, or is changed to a sole account and one of you notifies us that you are no longer linked.

So you must be sure that you have their agreement to disclose information about them.

- c. If you give us false or inaccurate information and fraud is identified, we will record this and may also pass this information to financial and other organisations involved in fraud prevention to protect us, them and our respective customers from theft and fraud.
- d. Your data must also be used by this organisation, to offer you other products, but only if you have given your permission.

3. With the information that we obtain we will:

- a. Assess this application for credit and/or;
- b. Verify your identity and the identity of your spouse, partner or other directors/partners and/or;
- c. Undertake checks for the prevention and detection of fraud and/or money laundering.
- d. We may use scoring methods to assess this application and to verify your identity.
- e. Manage your personal and/or business account (if you have one) with us.
- f. Undertake periodic statistical analysis or testing to ensure the accuracy of existing and future products and services.
- g. Any or all of these processes may be automated.

4. What we do when you have an account:

- a. Where you borrow or may borrow from us, we will give details of your personal and/or business account (if you have one), including names and parties to the account and how you manage it/them to credit reference agencies.
- b. If you borrow and do not repay in full and on time, we will tell credit reference agencies.
- c. We may make periodic searches of our group records, credit reference and fraud prevention agencies to manage your account with us, to take decisions regarding your identity and also credit, including whether to make credit available or to continue or extend existing credit.
- d. If you have borrowed from us and do not make payments that you owe us, we will trace your whereabouts and recover payment.

What credit reference agencies do

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

- a. 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.
- b. 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 partner successfully files for a disassociation with the credit reference agencies.

6. Supply to us:

- a. Credit information such as previous applications and the conduct of the accounts in your name and of your associate(s) (if there is a link between you – see 1b above) and/or your business accounts (if you have one).
- b. Public information such as County Court Judgements (CCJs) and bankruptcies.
- c. Electoral Register information.
- d. Fraud prevention information.

7. When information is supplied by us, to them, on your account(s):

- a. Credit reference agencies will record the details that are supplied on your personal and/or business account (if you have one) including previous and subsequent names of parties to the account and how you manage it/them.
- b. If you borrow and do not repay in full and on time, credit reference agencies will record the outstanding debt.
- c. Records shared with credit reference agencies remain on file for 6 years after they are closed whether settled by you or defaulted.

8. How your data will NOT be used by credit reference agencies:

- a. It will **not** be used to create a blacklist.
- b. It will **not** be used by the credit reference agency to make a decision.

9. How your data WILL be used by credit reference agencies:

- a. The information which we, other organisations and fraud prevention agencies provide to the credit reference agencies about you, your financial associates and your business (if you have one) may be supplied by credit reference agencies to other organisations and used by them to:
 - i. Verify your identity if you or your financial associate applies for other facilities including all types of insurance applications and claims;
 - ii. Make decisions on credit, credit related services and on motor, household, life and other insurance proposals and insurance claims, about you, your partner, other members of your household or your business;
 - iii. Trace your whereabouts and recover payment if you do not make payments that you owe;
 - iv. Conduct checks for the prevention and detection of crime including fraud and/or money laundering;
 - v. Manage your personal, your partner's and/or business accounts (if you have one/any);
 - vi. Manage your personal, your partner's and/or business insurance policies (if you have one/any);
 - vii. Undertake statistical analysis and system testing.

- b. Your data may also be used for other purposes for which you give your specific permission or, in very limited circumstances, when required by law or where permitted under the terms of the Data Protection Act 1998.
- c. Your data may also be used to offer you other products, but if you have given your permission. That will be on the front of any form that you have completed.

Credit Scoring

When you apply to us for a product, the details you provide, the information we already have and information from credit reference agencies are used to assess credit risk using a technique called 'credit scoring'. Various factors in all these details help us to assess the risk.

A score is given to each factor and a total credit score obtained. If your score is above a confident pre-set pass score, the application is likely to succeed. Details can be obtained from your local Trading Department, Citizens Advice Bureau or Consumer Advice Centre and the agencies' websites (details overleaf).

Fraud prevention agencies

We have systems that protect our customers and ourselves against fraud and other crime. Customer information can be used to prevent crime and trace those responsible. If false or inaccurate information is provided and fraud is identified, details will be passed to fraud prevention agencies. Law enforcement agencies may access and use this information. We and other organisations may also access and use this information to prevent fraud and money laundering, 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.

Please contact us on **0870 1200 849*** if you want to receive details of the relevant fraud prevention agencies. We and other organisations may access and use from other countries the information recorded by fraud prevention agencies.

Introducers

If your relationship with us was 'introduced' by a third party, we will provide them with sufficient information about you to help with their accounting and administration. The introducer may, with your consent, use your details to contact you about his own products and services.

Anti-money laundering and statutory obligations

To comply with money laundering regulations, and to help stop criminals using financial products or services to launder money, there are times when we need to confirm (or reconfirm) the identity of our customers. We may need to do this whether you are applying to be a new customer or have been one for some time. This information may be shared with other Lloyds Banking Group companies.

Some Acts of Parliament oblige us to disclose information about our customers to certain bodies with statutory powers. For example, we must give information to authorised benefit fraud investigators where fraudulent benefit claims are suspected. In addition, the H M Revenue & Customs has the statutory authority to audit our customers' accounts from time to time.

E-mail

If you e-mail us, or give us your e-mail address, we will keep a record of it. We may use it to contact you occasionally about other products and services which may interest you, unless you ask us not to do so. We will not give your e-mail address to any unauthorised third parties.

When e-mailing us, we recommend you use the e-mail facility on our website to make sure that the content of your e-mail is secure. If you do not want to use this option, remember that it will be 'insecure' and could be intercepted. If you do send us 'insecure' e-mail, please keep the amount of confidential information you include to a minimum. We will do likewise when we reply.

Telephone calls

We may record telephone conversations to offer you additional security, resolve complaints and improve our service standards. Conversations may also be monitored for staff training purposes.

Responsibility for customer confidentiality

All our employees are personally responsible for maintaining customer confidentiality. We provide training and education to all our staff to remind them about their obligations. Our policies and procedures are regularly audited and reviewed.

Sensitive information

The Data Protection Act defines information about the following as 'sensitive' (racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, sexual life, criminal proceedings and offences). If you apply to us for insurance we may ask you for some 'sensitive' details. We will only use this information to provide the service you require and we will ask for your explicit consent.

As a customer, there may be times when you give us sensitive information. We may share it within our group of companies and our subcontractors to keep your records up to date.

Business customers

The Data Protection Act does not generally apply to companies but it does cover personal data relating to sole traders and partnerships. When we receive an application from a business we may perform a search with a credit reference agency on the individual company directors or partners.

...how it affects you

When you open an account[†] with TMB you may be asked to provide information or documents to confirm your identity. This may happen whether you are applying to be a new customer with us or have been one for some time.

Where more than one person is applying, we will need to confirm the identity of each of you. Special rules apply in some cases, for example, you are acting under a power of attorney. Please ask for more information if these circumstances apply to you.

We ask for this information to comply with money laundering regulations which are designed to help financial institutions identify customers and to help stop criminals using financial services to launder funds obtained through criminal activity.

Criminals need to hide the money they make from their illegal activities so it can't be traced by the authorities. They may do this by trying to get their money into a bank, often using a false name and there have been an increasing number of cases of Identity Theft where criminals use the details of a genuine person to open accounts without their knowledge.

Once such an account has been opened, the criminal can move funds through the financial systems making it harder for the authorities to track down and confiscate. Where an account has been opened in the name of a genuine person, there is the additional risk that funds can be stolen from other accounts held by that person.

As well as our legal responsibility, our aim as a responsible lender is to do all we can to combat financial crime and protect our customers from fraud. This leaflet provides details of the types of checks we will carry out and some guidance that customers can follow to help protect themselves.

[†] In this section, we have used 'account' to cover most of the products and services we offer.

Protection Against Identity Theft

- Never disclose personal details to an unsolicited source (cold callers, marketing questionnaires etc).
- Dispose of personal documents such as bills, statements etc securely.
- Never respond to e-mails or telephone calls that appear to be from a financial organisation asking that you update security on your accounts.
- Never divulge your full password or Personal Identification Numbers to a third party – financial organisations will never contact you and ask for this information.

Identity check

When you open an account with us, we'll ask you to prove your identity, this means proving who you are and where you live by providing evidence of this.

Your personal details

As well as asking you for evidence of your identity, we will also ask you for the following information:

- Your nationality.
- Your country of residence.
- Your date of birth.
- Your occupation.
- How you expect to fund your account.

By post

If you are providing proof of your identity by post, we will need to see two original documents from the lists below, at least one from the 'Government Issued' list and at least one from the 'Supporting Documents' list. These must be two separate documents. Once we have recorded the details, we will send them straight back to you.

If you are concerned that documents may go astray you can show them to us at your nearest Halifax or Bank of Scotland branch.

Giving us proof

Proving your identity is simple: you just need to show us at least two separate original documents, one from each of the lists below. We will make a record of the details provided and it may also be necessary to retain copies of certain documents. The type of documents we accept are common to most people, so you shouldn't have any difficulty producing at least two of them.

You can provide us with proof of your identity either in person at one of our Halifax or Bank of Scotland branches or by post.

In person

If you're providing us with proof of your identity in person, all you need do is show us two different documents – one from each of the two lists. Once we've looked at them, we'll give them straight back to you. Please note that you can't use the same document from the 'Government Issued' and 'Supporting Document' lists. You must show us originals of two separate documents.

Documents for proof of identity

Government issued documents include the following:

- Current full signed passport.
- Current EEA UK National Identity Card.
- Current UK (old paper style) full driving licence (old style provisional is not acceptable).
- Current UK or EEA Photo Card driving licence (full or provisional).
- Current Shotgun or Firearms Certificate.
- HM Revenue & Customs Construction Industry registration card or certificate (CIS4, CIS5 or CIS6).
- Current benefits book or original notification letter confirming your right to benefits or State Pension.
- HM Revenue & Customs tax notification document (tax assessment, statement). Note P45, P2 and P60 are not acceptable.
- Resident Permit (issued by the UK Home Office).

- Current local authority tax bill.
- Current local council rent card or tenancy agreement.
- Current Disabled Driver's Pass.
- Northern Ireland Electoral ID Card.

Supporting documents include the following:

- Document from a regulated financial services firm confirming a relationship exists e.g. bank statements, insurance certificate.
- Recent utility bill, statement or certificate e.g. gas electricity, telephone provider. Note mobile telephone bills cannot be used.
- Current UK or EEA Photo Card driving licence (full or provisional) and no older than 10 years from the date of issue.
- Current UK (old paper style) full driving licence (old style provisional is not acceptable).
- Current local authority tax bill.
- Current local council rent card or tenancy agreement.
- Current benefit book or original notification letter confirming your right to benefits or State Pension.
- Current EEA or UK National Identity Card.
- Northern Ireland Electoral ID Card.
- HM Revenue and Customs tax assessment or statement. Please note P2, P45 and P60 forms are not acceptable.
- Housing association rent card or tenancy agreement.
- Student matriculation photo identity card.

Got a problem?

Don't worry if you're unable to provide any of the standard documents. We realise that you may not have a passport or driving licence, or any bills or statements addressed to you because accounts may be held in your partner's name.

There are other documents we might be able to accept, and we have other ways of confirming your name and address, such as checking the Electoral Register. So just tell us your situation and we'll advise you. You can call us on 08457 253 253*

The security steps we take when opening your account are a legal requirement and if you cannot give us satisfactory proof of your identity, we are not allowed to open an account for you.

Please remember the security checks are also for your own protection and we hope they will also give you peace of mind.

We may record telephone conversations to offer you additional security, resolve complaints and improve our service standards. Conversations may also be monitored for staff training purposes.

Additional needs

We are committed to meeting the needs of all our customers. If you have a hearing or speech impairment, you can use Text Relay whenever you contact us. For the visually impaired we can provide documents in large print, Braille or on audio. Please speak to a member of staff.

Customer Complaints

Our aim is to please – but we know that sometimes things go wrong. If you have a problem we want to know. A colleague will be happy to discuss your complaint over the telephone (08457 253 253)* or alternatively write to us at the address below.

A copy of our complaints procedure is available on request.

Complaints we can not settle may be referred to the Financial Ombudsman Service.

* Calls may be monitored and recorded for security and training purposes. If you are calling from outside the UK, please dial +442920781145.

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