

# Client Privacy Notice

Clear Mortgage Solutions Limited. Registered Office: 114 Centrum House, Dundas Street, Edinburgh EH3 5DQ. Registered in Scotland Number: SC463175

Mortgage Advice Bureau Limited. Registered Office: Capital House, Pride Place, Derby DE24 8QR. Registered in England Number: 3368205

Mortgage Advice Bureau (Derby) Limited. Registered Office: Capital House, Pride Place, Derby DE24 8QR. Registered in England Number: 6003803

Companies known together in this document as "Mortgage Advice Bureau", "we" and "us"

Clear Mortgage Solutions Limited is an Appointed Representative of Mortgage Advice Bureau and Mortgage Advice Bureau (Derby) Ltd. As joint controllers of your data, we comply with Data Protection laws in the United Kingdom. This Privacy Policy details how we process your personal data.

## The personal data we collect about you

Personal data collected, used, stored and transferred by us may include:

- **Identity Data** including forenames, last name, maiden name, date of birth, gender, marital status, and username or similar identifier
- **Contact Data** including home address, email address and telephone numbers
- **Financial Data** including banks statements, payment card details, savings, debts such as loans and credit cards, income & expenditure, employer & pension benefits, and other assets
- **Special Category Data** inc. medical history and trade union / political party membership costs
- **Transaction Data** including payments made for products and services you have purchased from us
- **Technical Data** including internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices used to access the Hodgson Financial Website
- **Profile and Usage Data** including purchases made by you, feedback and survey responses, and how you use our website, products and services
- **Marketing and Communications Data** including your preferences in receiving marketing from us and our business partners and your communication preferences

## How do we collect your personal data?

Personal data is collected by us using the following methods:

- **Direct interactions** with an adviser in person, by post, phone (including call recordings and voicemail), email, videoconferencing or otherwise when sourcing and applying for mortgage or protection products, processing Identity, Contact and Financial categories of personal data.
- **Automated technologies or technical interactions** with our website, via the customer portal, web enquiry form or the Find A Mortgage function, processing Identity, Contact, Financial and Technical categories of personal data.

**Third parties or publicly available sources** (processing Identity, Contact and Financial categories of personal data) such as:

- Estate agents with whom you may be interacting, but only with your consent;
- New home builders, as a legitimate interest in order to assess affordability for the property;
- Enquiries you may perform on third-party mortgage sourcing websites;
- Your financial information from your bank available via Open Banking with your consent

## How do we use your personal data?

Purpose/Activity	Type(s) of data	Lawful basis for processing
To initially engage with you to discuss your requirements	<ul style="list-style-type: none"> <li>Identity</li> <li>Contact</li> </ul>	Consent
To source products, provide indicative quotes, and process & deliver your application for a mortgage or protection product	<ul style="list-style-type: none"> <li>Identity</li> <li>Contact</li> <li>Financial</li> <li>Transaction</li> <li>Marketing &amp; Comms</li> <li>Special Category</li> </ul>	Performance of a contract with you To comply with a legal obligation Necessary for our legitimate interests (to recover debts due to us) Explicit Consent
To manage our client relationship with you which will include: <ul style="list-style-type: none"> <li>Create and maintain access to your customer portal account</li> <li>Notifying you about changes to our terms or privacy policy</li> <li>Customer reviews / surveys</li> <li>Re-engagement when existing products nears expiry / review protection needs</li> </ul>	<ul style="list-style-type: none"> <li>Identity</li> <li>Contact</li> <li>Profile &amp; Usage</li> <li>Marketing &amp; Comms</li> </ul>	Performance of a contract with you To comply with a legal obligation Necessary for our legitimate interests (with Mortgage Advice Bureau and Clear Mortgage Solutions as joint controllers, to re-engage with you to review your existing mortgage / protection needs, and to maintain and improve customer service standards)
To respond to case enquiries and input to & defend against complaints	<ul style="list-style-type: none"> <li>Identity</li> <li>Contact</li> <li>Profile &amp; Usage</li> <li>Transaction</li> <li>Marketing &amp; Comms</li> <li>Special Category</li> </ul>	To comply with a legal obligation Necessary for our legitimate interests (to ensure that complaints can be responded to accurately) Legal Claims & Judicial Acts
To perform an affordability check for a property on behalf of an Estate Agent or New Home Builder	<ul style="list-style-type: none"> <li>Identity</li> <li>Contact</li> <li>Financial</li> <li>Profile &amp; Usage</li> </ul>	Necessary for our legitimate interests and of the New Home Builder / Estate Agent (to ensure that a property is affordable before proceeding with the purchase process)
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	<ul style="list-style-type: none"> <li>Identity</li> <li>Contact</li> <li>Technical</li> </ul>	To comply with a legal obligation Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	<ul style="list-style-type: none"> <li>Identity</li> <li>Contact</li> <li>Profile &amp; Usage</li> <li>Marketing &amp; Comms</li> <li>Technical</li> </ul>	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics and other systems including AI and automated decision making to improve our website, products/services, marketing, customer relationships and experiences	<ul style="list-style-type: none"> <li>Identity</li> <li>Contact</li> <li>Financial</li> <li>Special Category</li> <li>Technical</li> <li>Profile &amp; Usage</li> </ul>	Consent / Explicit Consent Necessary for our legitimate interests (to analyse customer usage, update our website, to develop our business, and to inform our client re-engagement and marketing strategy)

## Change of purpose

We will only use your personal data for the purposes stated above, unless we reasonably consider that we need to use it for another reason and it is compatible with the original purpose. Please [contact us](#) for an explanation as to how any new processing is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## Changes to our Privacy Notice

We keep our Privacy Notice under regular review. This Privacy Notice was last updated on 4<sup>th</sup> August 2020. Historic versions can be obtained by contacting us.

## Use of AI and Automated Decision Making

We may use your data in AI and automated decision-making systems for re-engagement purposes as a legitimate interest to review your existing mortgage and source suitable new products. If you do not wish your data to be used by such systems, please notify us at [data.protection@mab.org.uk](mailto:data.protection@mab.org.uk)

## Marketing communications

You will also have the choice to opt-in to receiving other related marketing information and related products and services. You can opt-out of receiving these types of communications at any time by contacting your adviser, by emailing [data.protection@mab.org.uk](mailto:data.protection@mab.org.uk) or by clicking on the relevant link in email communications you receive from us. However please note that your personal information will not be passed to any third-party organisation for marketing purposes.

## Data Security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We also limit access to your personal data to only those Mortgage Advice Bureau staff, appointed representatives, advisers, business partners and suppliers who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## Cookies

When using the Hodgson Financial website, you can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see our [cookie policy](#).

## Website Third-party links

Hodgson Financial website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## Sharing of personal data outside of the United Kingdom

Some of our external suppliers are based overseas so their processing of your personal data will involve a transfer of data outside of the UK. In such cases data is transferred under conditions to provide protection to personal data equivalent to the General Data Protection Regulation (GDPR). This includes the use of standard contractual clauses approved by the European Commission in contracts with external suppliers in order to provide the same level of protection for personal data as it has in the EEA.

## Who we disclose personal data to

Type of recipient	Reason
Within Mortgage Advice Bureau	Depending on your requirements, it may be necessary to share your personal data with Mortgage Advice Bureau's network and specialist product providers in order for suitably qualified advisers to source relevant products and services or to re-engage with existing clients
Lenders and protection product suppliers	To source and submit applications in order to conclude the contract for the mortgage / protection application and the ongoing servicing of these contracts.
Financial Institutions	To source your bank account information via Open Banking with your consent
External suppliers	Specialist IT system providers to deliver our service to you (including sourcing of products, providing continuing advice, sharing of documentation, payment processing, informing you about relevant products and services, service & advice quality checking and improvements, and to request feedback on customer service standards). It may also be necessary to share your personal data with non-affiliated companies who perform support services on our behalf including those that provide professional, legal or accounting advice to Mortgage Advice Bureau.
Solicitors / Conveyancers	To update the firm of solicitors / conveyancers with whom you are interacting about the progress of your application and confirm your identity / proof of deposit.
Estate agents / new home builders	To update the firm of mortgage / protection advisers, estate agents and home builders with whom you are interacting about the results of affordability checks and progress of your application.
Licensed Credit Agencies	For the purposes of confirming your identity to comply with Anti Money Laundering requirements (TransUnion data processing information can be found in the privacy notice on the <a href="http://www.callcredit.co.uk">www.callcredit.co.uk</a> website); to perform a credit assessment to assess your eligibility; as part of an application request for a Lenders Decision In Principle; and to perform a credit assessment with your consent as part of a full application.
Regulators	In order to fulfil our legal obligations as a regulated profession, for example with the Financial Conduct Authority, to verify your identity and comply with Anti Money Laundering legislation, and otherwise co-operate with law enforcement, legal proceedings or regulatory authorities.
Others	Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

These companies are required to ensure appropriate security measures are in place and maintain the confidentiality of your personal data, and to use your personal data only in the course of providing such services and in accordance with Mortgage Advice Bureau instructions.

## How long is your personal data retained?

Purpose of processing	Retention
Successful mortgage / protection applications	For the full mortgage or protection policy term plus a further 6 years, or for a period of 30 years for historical cases if the original term is not recorded
Withdrawn, stalled, incomplete and failed mortgage / protection applications	2 years from the date the latest application was started, or 6 years from the application submitted date if application was submitted and subsequently rejected or from creation date if advice has been provided but not pursued
Client Portal accounts	2 years from date of last login if not proceeded to full application
Affordability checks	2 years from Decision In Principle if affordability check does not proceed to a full mortgage application
Enquiry data obtained from third parties that do not result in an application	2 years from the date the lead was received from the Introducer

After these retention periods if there is no other on-going client relationship your personal data will either be securely deleted or anonymised so that it can be used for statistical purposes but without any method of identifying you individually.

## Your legal rights regarding your personal data

You have the right to:

- **Request access** to your personal data. This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data. This enables you to have any incomplete or inaccurate data corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete personal data where there is no good reason for us continuing to process it. You can also ask us to delete your personal data where you have successfully objected to the processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to delete the data for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

## Questions

If you have any questions or complaints relating to how we use your personal data, or if you wish to exercise any of your rights regarding your personal data, please contact the Information Security & Data Protection Manager by emailing [Data.Protection@mab.org.uk](mailto:Data.Protection@mab.org.uk) or by writing to us. We will respond to you as soon as is possible. The length of time will depend on the type and complexity of the request, but you will receive a response no later than one month from the initial request.

## What if I am still not satisfied?

If you are not satisfied with how the Mortgage Advice Bureau has responded to your enquiry, you have the right to complain to the Information Commissioner's Office (ICO), who is the regulator for data protection in the United Kingdom.