

## Privacy Notice

### Your Personal Data - Executors, Powers of Attorney and Other Associated Persons

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#### Contents

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The meaning of some terms that we use in this privacy notice	2
Who we are and how to contact us	2
Have you been introduced to us by a broker or other intermediary?	3
What kinds of personal data do we process?	3
Other individuals associated with the account	4
Where do we get your personal data from?	4
What are the lawful bases for processing personal data (including when we share it with others)?	5
How and when can you withdraw your consent?	7
Do we share your personal data with third parties?	8
Is your personal data transferred outside the UK?	8
How do we share your information with Credit Reference Agencies?	8
How do we share your information with Financial Crime Prevention Agencies?	9
What should you do if your personal data changes?	9
Do you have to provide your personal data to us?	9
Do we do any monitoring involving processing of your personal data?	9
How long do we keep your personal data?	10
What are your rights under data protection laws?	10
Data anonymisation and use of aggregated information	11
Your marketing preferences and what this means	11
Data privacy notices from other organisations	11

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## The meaning of some terms that we use in this privacy notice

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- **Personal Data** is any information relating to you (the 'data subject') that is either about you or can be used to identify you. Some examples of this include your name, address, and contact information.
- **Data Controller** and **Data Processor** are terms used to describe companies or services that may use your data. A Data Controller will be responsible for deciding what processing happens with the data. A Data Processor will not make any decisions about the data, but will process data on instructions given to it by a Data Controller. Bath Building Society will act as both a Data Controller and Processor for your data. We may also share your data with third parties who act as Processors or Controllers, depending on the service they provide.
- **Process** or **processing** means anything that we do with your personal data, from when we first collect it, right through to when we destroy or delete it when we no longer need it. This can include collecting it (from you or other organisations), using, sharing, storing, retaining, deleting, destroying, transferring it overseas.
- **Legitimate interests** are mentioned in our privacy notice because data protection laws allow us to process personal data where the purpose is legitimate and is not outweighed by your interests, fundamental rights and freedoms. "Legitimate interests" is one of several lawful bases for personal data processing as described in data protection law. These will be covered in more detail below.

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## Who we are and how to contact us

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Bath Building Society of 15 Queen Square, Bath BA1 2HN is a data controller of your personal data. This document (known as a Privacy Notice) describes how we deal with your personal data. We are the data controller of this information under relevant data protection laws because in the context of our business relationship with you we decide how and why it is processed, as explained in this document. When we use terms such as **we**, **us** and **our**, we mean Bath Building Society.

Our Head of Compliance and Data Protection Officer can be contacted if you have queries about this privacy notice or want to exercise any of the rights mentioned in it.

<b>You can email us at:</b>	<a href="mailto:dataprotection@bibs.co.uk">dataprotection@bibs.co.uk</a>
<b>Or write to:</b>	Data Protection Officer Bath Building Society 15 Queen Square Bath BA1 2HN

You will see at the end of this privacy notice that we mention the privacy notices of parties we share information with, such as Fraud Prevention Agencies, Money Laundering Prevention Agencies and Credit Reference Agencies. Please ask if you would like us to provide you with a copy.

This privacy notice may be updated from time to time. We will send you an updated copy upon request, or if we are required to do so.

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## Have you been introduced to us by a broker or other intermediary?

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Our mortgages are available directly from the Society as well as through brokers or other intermediaries. When a broker or other intermediary processes your personal data on our behalf, this privacy notice will apply, and you should contact us to exercise your rights under data protection laws. When a broker or other intermediary processes your personal data as a Data Controller in its own right, its own privacy notice will apply, and you should ask them for a copy if you do not have one.

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## What kinds of personal data do we process?

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Depending on your role associated with an account, personal data we process may include:

<b>Personal details</b>	Your title, name, contact details (such as email address, home and mobile telephone numbers).
<b>Addresses</b>	Your current address, correspondence address (where this is different from your home address), address history.
<b>Date of birth / Age</b>	To verify your identity
<b>Contact</b>	Records of how you have contacted us. If you get in touch with us online, this may include details such as your mobile phone location data, IP address and MAC address.
<b>Financial details</b>	Your income and expenditure, details of your savings, and details of bank accounts and mortgages held with other providers.
<b>Existing credit</b>	Details about all of your existing borrowings and loans
<b>Credit History (from Credit Reference Agencies)</b>	<p>Personal data about your credit history which we obtain from Credit Reference Agencies (CRA). This can include data from:</p> <ul style="list-style-type: none"> <li>○ Royal Mail (UK postal addresses),</li> <li>○ Local authorities (electoral roll)</li> <li>○ The Insolvency Service</li> <li>○ Companies' House</li> <li>○ Other lenders and providers of credit (who supply data to the CRAs)</li> <li>○ Court judgments decrees and administration orders made publicly available through statutory public registers (see the section on 'Credit Reference Agencies' below)</li> </ul>
<b>Employment</b>	Information about your employment status including whether you are employed, self-employed, retired or receive benefits.

<b>Occupier status</b>	Information about your occupier status, such as whether you are a tenant, live with parents or are an owner occupier of the property in which you live at the time of your application.
<b>Residency / Citizenship</b>	Information which is relevant for your residency and/or citizenship status, such as your nationality, your length of residency in the UK and/or whether you have the permanent right to reside in UK.
<b>Marital status / family</b>	Your marital status, family, lifestyle or social circumstances if relevant to the mortgage product (e.g. the number of dependents you have or if you are a widow or widower)
<b>Special category data</b>	This may include information about your health or circumstances, which may identify you as a vulnerable person.
<b>Your role as an associated person</b>	<p>We will collect details regarding your role as Power of Attorney or an Executor (where relevant).</p> <p>If you are providing a collateral charge for a mortgage, we will obtain a valuation of your property.</p> <p>If you are a guarantor for a mortgage, we will request financial information to support your ability to act as guarantor.</p>

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### Other individuals associated with the account

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If you are providing us with personal data about another person associated with the account (such as another Executor, person providing a collateral charge etc), please share this privacy notice with them.

If you look now at the “What are the lawful bases” section (below) you will see reference to consent and a description of some limited scenarios where it may be relevant to what we do with personal information. If you are associated with an account jointly with another individual, we may ask you to obtain consent from them.

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### Where do we get your personal data from?

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We will generally collect your personal data from you directly. If you are introduced to us by a broker or other intermediary, they will provide us with the personal data you give them.

In addition, and depending on your associated role with the account, we may obtain personal data about you from other sources such as:

- electronic identification verification services
- financial crime prevention agencies
- Credit Reference Agencies
- your employer
- landlord
- other lenders
- HMRC
- DWP

- publicly available directories and information (e.g. telephone directory, social media, internet, news articles)
- debt recovery and/or tracing agents
- other organisations to assist in prevention and detection of crime, police and law enforcement agencies.

Some of the personal data obtained from Credit Reference Agencies will have originated from publicly accessible sources. In particular, Credit Reference Agencies draw on court decisions, bankruptcy registers and the electoral register (also known as the electoral roll). We explain more about Credit Reference Agencies below. We have also mentioned above in the lists of personal data that we process some of the CRAs' other sources of information (which are our own source of information too).

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## What are the lawful bases for processing personal data (including when we share it with others)?

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Data protection laws require us to explain what lawful bases justify our processing of your personal data (this includes sharing it with other organisations). For some processing more than one lawful basis may be relevant (except where we rely on consent). Here are the lawful bases that are relevant to us:

<b>Performance of contract</b>	<p>Processing necessary to perform our contract with you, or for any processing required before you enter it, during the application stage. This includes:</p> <ul style="list-style-type: none"> <li>• Administering and managing accounts that you are associated with and services relating to that, updating your records, tracing your whereabouts to contact you about your account and doing this to recover debt.</li> <li>• All stages and activities relevant to managing your associated accounts including: <ul style="list-style-type: none"> <li>○ Enquiry</li> <li>○ Application</li> <li>○ Administration and management of accounts</li> </ul> </li> </ul>
<b>Legitimate interests</b>	<p>Where we consider that it is appropriate, processing necessary for the following legitimate interests which apply to us (and in some cases other organisations) are:</p> <ul style="list-style-type: none"> <li>• Administering and managing the accounts you are associated with and services relating to that, tracing your whereabouts to contact you about your account and doing this to recover debt.</li> <li>• To test the performance of our products, services and internal processes.</li> <li>• To adhere to guidance and best practice under the regimes of governmental and regulatory bodies such as: <ul style="list-style-type: none"> <li>○ HMRC</li> <li>○ the Financial Conduct Authority</li> <li>○ the Prudential Regulation Authority</li> <li>○ the Payment Systems Regulator</li> <li>○ Pay UK</li> <li>○ the Financial Ombudsman Service</li> <li>○ the Information Commissioner's Office</li> <li>○ the Financial Services Compensation Scheme</li> </ul> </li> <li>• For management and audit of our business operations, including accounting.</li> <li>• To carry out searches at Credit Reference Agencies pre-application, at the application stage and in certain circumstances after that. We will ask for your consent to perform these checks where it is required. Where you have been introduced to us by a broker or other intermediary, they may do these</li> </ul>

	<p>searches on our behalf.</p> <ul style="list-style-type: none"> <li>• To carry out monitoring and to keep records (see below).</li> <li>• To administer our good governance requirements, such as internal reporting and compliance obligations or administration required for AGM processes.</li> <li>• For market research and analysis and developing statistics.</li> <li>• When we share your personal data with these other people or organisations (where applicable): <ul style="list-style-type: none"> <li>○ Account holders, trustees and beneficiaries of accounts that you are associated and anyone with power of attorney over those associated accounts, or other individuals who may also be associated with those accounts (such as jointly providing a collateral charge).</li> <li>○ The broker or other intermediary who introduced you to us, where relevant</li> <li>○ Our legal and other professional advisers, auditors and actuaries</li> <li>○ Financial institutions and trade associations</li> <li>○ Governmental and regulatory bodies such as: <ul style="list-style-type: none"> <li>▪ HMRC</li> <li>▪ the Financial Conduct Authority</li> <li>▪ the Prudential Regulation Authority</li> <li>▪ the Payment Systems Regulator</li> <li>▪ Pay UK</li> <li>▪ the Financial Ombudsman Service</li> <li>▪ the Information Commissioner's Office</li> <li>▪ the Financial Services Compensation Scheme</li> </ul> </li> <li>○ Tax authorities who are overseas, for instance if you are subject to tax in another jurisdiction, we may share your personal data directly with relevant tax authorities overseas (instead of HMRC)</li> <li>○ Other organisations and business who provide services to us, such as: <ul style="list-style-type: none"> <li>▪ Debt recovery agencies</li> <li>▪ Backup and server hosting providers</li> <li>▪ IT software and maintenance providers</li> <li>▪ Document storage providers</li> <li>▪ Suppliers of other back-office functions</li> <li>▪ Buyers and their professional representatives as part of any restructuring or sale of our business or assets</li> </ul> </li> <li>○ Electronic identification verification services, Financial Crime Prevention Agencies and Credit Reference Agencies (please see below for more detail)</li> </ul> </li> </ul>
<p><b>Legal obligations</b></p>	<p>Processing necessary to keep to our legal obligations:</p> <ul style="list-style-type: none"> <li>• To comply with laws that apply to us.</li> <li>• To establish, defend and enforce our legal rights.</li> <li>• For activities intended to prevent, detect and investigate crime.</li> <li>• To carry out identity checks and checks with Financial Crime Prevention Agencies before, during and in certain circumstances after that. We will ask for your consent to perform these checks where it is required. Where you have been introduced to us by a broker or other intermediary, they may do these searches on our behalf.</li> <li>• To carry out monitoring and keep records (see below).</li> <li>• To deal with requests from you to exercise your rights under data protection laws.</li> <li>• To process information about a crime or offence and any related proceedings. This will apply in cases where we know of or suspect financial crime.</li> </ul>

	<ul style="list-style-type: none"> <li>• Where we share your personal data with these other people or organisations (where applicable): <ul style="list-style-type: none"> <li>○ Account holders, trustees and beneficiaries of accounts that you are associated and anyone with power of attorney over those associated accounts, or other individuals who may also be associated with those accounts (such as jointly providing a collateral charge).</li> <li>○ other payment services providers, such as when you ask us to share information about your associated accounts with them.</li> <li>○ financial crime prevention agencies and Credit Reference Agencies</li> <li>○ law enforcement agencies and governmental and regulatory bodies, such as: <ul style="list-style-type: none"> <li>▪ HMRC</li> <li>▪ the Financial Conduct Authority</li> <li>▪ the Prudential Regulation Authority</li> <li>▪ the Payment Systems Regulator</li> <li>▪ Pay UK</li> <li>▪ the Financial Ombudsman Service</li> <li>▪ the Information Commissioner's Office</li> <li>▪ the Financial Services Compensation Scheme (depending on the circumstances of the sharing)</li> <li>▪ courts and other organisations where necessary for the administration of justice, to protect vital interests and to protect the security or integrity of our business operations.</li> </ul> </li> </ul> </li> </ul>
<b>Consent</b>	<p>Processing with your consent:</p> <ul style="list-style-type: none"> <li>• When you ask that we share your personal data with someone else and give your consent for that.</li> <li>• For some of our processing of special categories of personal data, such as about your health or if you are a vulnerable customer. It will be explained to you when we ask for that explicit consent what the purpose is, and how we will share and use it.</li> </ul>
<b>Public Interest</b>	<p>Processing for a substantial public interest under laws that apply to us where this helps us to meet our broader social obligations, such as:</p> <ul style="list-style-type: none"> <li>• Processing of your special categories of personal data, such as if you are a vulnerable person.</li> <li>• Processing that we need to do to fulfil our legal obligations and regulatory requirements.</li> <li>• When we share your personal data with other people and organisations, if they need to know that you are a vulnerable person, such as your relatives, social services, your carer, or the person who has power of attorney over your affairs.</li> </ul>

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## How and when can you withdraw your consent?

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Much of what we do with your personal data is not based on your consent, instead it is based on other lawful bases (as explained above).

For processing that is based on your consent, you have the right to take back that consent for future processing at any time. You can do this by contacting us using the details above. This might mean that we cannot send you some marketing communications, or that we cannot take into account special categories of personal data such as if you are a vulnerable customer (but these outcomes will be relevant only in cases where we rely on explicit consent for this).

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## **Do we share your personal data with third parties?**

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We will share your personal information with third parties where required to open or maintain your associated accounts, where required by law, or where we have another legitimate interest in doing so.

Some examples of third parties that we would expect to share your personal data with, depending on your association with the account, are:

- solicitors or brokers connected with your associated mortgage or mortgage application
- surveyors
- our system providers and suppliers that allow us to function as a business
- payment service providers
- law enforcement and government agencies
- regulators

Any third parties that we use are required to have appropriate security measures to protect your personal data in line with our policies. We do not allow third parties to use your personal data for their own purposes unless they are separately permitted to do. We only permit third parties to process your personal data for specified purposes and as instructed by us.

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## **Is your personal data transferred outside the UK?**

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We are based in the UK and do not normally transfer personal data outside the UK. However, we may use third parties, such as system providers, suppliers or services who may transfer data to, or store data in, locations both inside and outside the UK.

We also share some personal data with Credit Reference Agencies as well as Financial Crime Prevention Agencies who may have operations both inside and outside of the UK. Where we do use providers that send information outside of the UK, they are required to have suitable safeguards in place to protect it.

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## **How do we share your information with Credit Reference Agencies?**

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Depending on your association with an account, we may perform identity checks on you with one or more Credit Reference Agencies (CRAs). To do this, we will supply your personal data to CRAs and they will give us information about you. CRAs will supply to us financial crime prevention information from public sources (including the electoral register) and shared from financial crime prevention agencies.

We will use this information to:

- verify the accuracy of the information you have provided to us
- prevent criminal activity, such as fraud and money laundering
- manage your account(s)

Where relevant, we may ask your Broker or other intermediary to undertake this credit check for us.

Depending on your association with the account, we may continue to exchange information about you with CRAs while you have a relationship with us.

Where we do perform a credit search on you and any account holder or other associated person, we will link your records together, so you should make sure you discuss this with any other account holder or associated person, and share with them this information, before lodging the application. CRAs will also link your records



together and these links will remain on your and their files until such time as you or the account holders or other associated person successfully files for a disassociation with the CRAs to break that link.

**For more information see “Data Privacy Notices from other organisations” below.**

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### **How do we share your information with Financial Crime Prevention Agencies?**

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The personal data we collect from you may be shared with Financial Crime Prevention Agencies 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. **For more information see “Data Privacy Notices from other organisations” below.**

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### **What should you do if your personal data changes?**

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You should tell us without delay so that we can update our records. You can do this by email ([mortgageadmin@bibs.co.uk](mailto:mortgageadmin@bibs.co.uk) or [savings@bibs.co.uk](mailto:savings@bibs.co.uk)) or by writing to our Head Office.

If you were introduced to us by a broker or other intermediary who is Data Controller in its own right, you should contact them separately. In some cases where you exercise rights against us under data protection laws (see below) we may need to inform the broker or other intermediary, but this will not always be the case.

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### **Do you have to provide your personal data to us?**

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We are unable to take any actions you may require in relation to an account without having personal information about you. Your personal information is required to process your association with an account, or by laws that apply to us. If we already hold some of the personal information that we need (for instance if you are already a customer), we may not need to collect it again.

In cases where providing some personal information is optional, we will make this clear.

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### **Do we do any monitoring involving processing of your personal data?**

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In this section, “monitoring” means any listening to, recording of, viewing of, intercepting of, or taking and keeping records (as the case may be) of calls, email, text messages, social media messages, in person face-to-face meetings and other communications.

We may monitor where permitted by law and we will do this where the law requires it. In particular, we are required by the Financial Conduct Authority record certain telephone lines.

Some of our monitoring may be:

- to comply with regulatory requirements or self-regulatory practices or procedures relevant to our business.
- to prevent or detect financial crime.
- in the interests of protecting the security of our communications systems and procedures.
- to have a record of what we have discussed with you and actions agreed with you.
- to protect you and to provide security for you (such as in relation to financial crime risks on your account).
- for quality control and staff training purposes.

We may conduct short term carefully controlled monitoring of activities on your associated account where this is necessary for our legitimate interests or to keep to our legal obligations. For instance, where we financial crime.

Telephone calls between us and you in connection with your associated account may be recorded to make sure that we have a record of what has been discussed and what your instructions are. We may also record these types of calls for quality control and staff training purposes.

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## How long do we keep your personal data?

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Unless we explain otherwise to you, depending on your association with an account, we will hold your personal information for the following periods:

### For associations with a savings account

- **Retention in case of queries.** We will retain the personal data that we need to keep in case of queries from you (for instance, if you apply unsuccessfully for a product or service) for 1 year unless we have to keep it for a longer period (see directly below).
- **Retention in accordance with legal and regulatory requirements.** We will retain the personal data that we need to keep even after the relevant contract you have with us has come to an end for 6 years and this will be to satisfy our legal and regulatory requirements.
- **Retention in case of claims.** We will retain the personal data that we need to keep for the period in which you might legally bring claims against us which in practice means 6 years after your account is closed.

### For associations with a mortgage account

- **Retention in case of queries.** We will retain the personal data that we need to keep in case of queries from you:
  - where the account holder did not receive advice, for 6 months.
  - where you were introduced to us by a broker or other intermediary, but your associated application did not complete, for 12 months.
  - where the account holder was given advice, but either did not make an application or the application did not complete, for 3 years.

In all cases above, the retention periods apply unless we have to keep the data for a longer period, such as for financial crime prevention purposes.

- **Retention for completed mortgages.** We will retain the personal data relating to your mortgage even after the relevant contract between us has come to an end, such as when your mortgage is redeemed.

This will be to satisfy our legal and regulatory requirements and to keep for the period in which you might legally bring claims against us (including any information relating to any arrears or debt recovery), which in practice means 12 years after the mortgage is closed.

If you would like further information about our data retention practices, contact us.

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## What are your rights under data protection laws?

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Here is a list of the rights that all individuals have under data protection laws. They do not apply in all circumstances. If you want to exercise any of them, we will explain at that time if for some reason they are not applicable.

<b>Right to be informed</b>	You can ask about how we collect and use your data, and how long we keep it for.
<b>Right of access</b>	You can ask for a copy of your data, commonly referred to as a Subject Access Request (SAR).
<b>Right to rectification</b>	You can ask us to correct any errors with your data.
<b>Right to erasure</b>	You can request that we delete your data.
<b>Right to restrict processing</b>	You can ask us to limit how we use your data.
<b>Right to data portability</b>	You can ask us to transfer your data.
<b>Right to object</b>	You can ask us to stop processing your data, although in some cases we may continue to do so.
<b>Rights related to automated decision-making, including profiling</b>	You have some protections against automated decision making and profiling. You can request information about the processing that takes place, and ask for human intervention or challenge a decision.

You have the right to complain to the Information Commissioner's Office which enforces data protection laws: <https://ico.org.uk/>.

If you want to exercise any of these rights with Credit Reference Agencies, Fraud Prevention Agencies, Money Laundering Prevention Services, or a broker or other intermediary who is Data Controller in its own right, you should contact them directly.

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### **Data anonymisation and use of aggregated information**

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Your personal data may be converted into statistical or aggregated data which cannot be used to re-identify you. It may then be used to produce statistical research and reports. This aggregated data may be shared and used in all the ways described in this privacy notice.

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### **Your marketing preferences and what this means**

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As an associated person we generally will not send you marketing correspondence, although there may be some circumstances where this is relevant to you.

We may use your home address, phone numbers, email address to contact you according to your marketing preferences. This means we do this only if we have a lawful basis which allows it under data protection laws – see above for what our lawful basis for marketing is. You can stop our marketing at any time by emailing [marketing@bibs.co.uk](mailto:marketing@bibs.co.uk) or writing to our Head Office or by following the instructions on how to do that in the marketing email or other communication.

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### **Data privacy notices from other organisations**

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We have mentioned that we share your personal data with Credit Reference Agencies and Financial Crime Prevention Agencies (such as Money Laundering Prevention Services and Fraud Prevention Agencies). Further information and the relevant Privacy Notices are available if you ask.

The identities of the CRAs, their role as Financial Crime 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 CRAs are explained in more detail at <https://ico.org.uk/your-data-matters/>. A Credit Reference Agency Information Notice (CRAIN) is also accessible from each of the three CRAs – following any of these three links will also take you to the same CRAIN document:

TransUnion      [www.transunion.co.uk/crain](http://www.transunion.co.uk/crain)

Equifax          [www.equifax.co.uk/crain](http://www.equifax.co.uk/crain)

Experian         [www.experian.co.uk/crain](http://www.experian.co.uk/crain)