

# Thirlmere Shared Equity LLP Privacy Notice

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## 1. Introduction

Thirlmere Shared Equity (Thirlmere) is a company registered in England and Wales (registration number OC425118), whose registered office is at 5 Old Bailey, London, EC4M 7BA. Thirlmere is the lender of record of your shared equity mortgage.

In order that you are reliably informed about how we operate, we have developed this privacy notice, which describes the ways in which we collect, manage, process, store and share information about you as a result of you visiting this site. The privacy notice also provides you with information about how you can have control over the use of your data.

Thirlmere respect your right to privacy and will only process personal information you provide to us, and your personal information provided to us from Optimum Credit Ltd in accordance with the Data Protection Act 2018, the Privacy and Electronic Communications (EC Directive) Regulations 2003, from 25 May 2018, EU Regulation 2016/679, the General Data Protection Regulation ("GDPR") and other applicable privacy laws. For the purposes of the Data Protection Act 2018 and GDPR, Thirlmere is the Data Controller.

Thirlmere have appointed Ascent Performance Group Ltd ("Ascent") to continue the management and administration of your shared equity loan. Ascent is a specialist administrator of a considerable number of shared equity mortgages and manages these types of loans throughout England, Scotland and Wales. Ascent will process your personal information on Thirlmere's behalf.

Ascent acts as a data processor for Thirlmere from whom Ascent receive instruction. In some limited circumstances Ascent will also act as a data controller.

**If you have any comments or queries regarding our use of your data, please contact our Group Data Protection Officer at [dataprotection@irwinmitchell.com](mailto:dataprotection@irwinmitchell.com). Alternatively, you can write to our Group Data Protection Officer at Ascent, Imperial House, 31 Temple Street, Birmingham B2 5DB.**

## 2. What information does Thirlmere and Ascent ('we') collect about you?

In general terms, we seek to collect information about you so that we can:

- continue to manage and administer your shared equity mortgage;
- answer your queries regarding your shared equity mortgage;
- carry out our obligations arising from any contracts entered into between you and Thirlmere; and
- to notify you about changes to your shared equity mortgage.

The information that we need for these purposes is known as your "personal data". This includes your name, home address, email address, telephone and other contact numbers and financial information. We collect this in a number of different ways. For example, you may provide this data to us directly online or over the telephone, or when corresponding with us by letter.

We also process sensitive classes of information that includes:

- physical or mental health details
- racial or ethnic origin
- religious or other beliefs of a similar nature
- offences including alleged offences
- criminal proceedings, outcomes and sentences

We will seek your permission if we need to record any of your sensitive personal data on our systems.

We voice record our customer interactions, therefore any information captured via this medium will automatically be stored, for training and monitoring purposes.

### 3. How will we use the information?

We use the data collected from you for the specific purposes listed in the table below. Please note that this table also explains:

- the legal basis for processing your data, linked to each processing purpose; and
- in what circumstances your data will be shared with a third party organisation.

Purpose for processing data	Legal basis for processing data	Third party organisations with whom data is shared
To process customer requests for debt management support.	To meet the requirements of a contract.	Ascent is part of the Irwin Mitchell Group and there are a number of services that are centralised within the Group such as IT, and regulatory or operational services. Therefore, we will also share your information with Irwin Mitchell LLP for these reasons.  Ascent also uses LPC Law to act on our behalf at any Court appearances. We will share information with this third party when providing our instructions.
To process payments online.	To meet the requirements of a contract.	Irwin Mitchell Group – Accounts Department, IT Department.
To communicate with you via email, telephone, SMS, in writing in order to update you as necessary about your specific financial matters.	To meet the requirements of a contract.	LPC Law.  Ascent also use Appointed Representatives to complete home visits, we will share information with these Self Employed Agents so that they can contact you about the visit.  FCA.  Financial Ombudsman.
To provide customer support by telephone – to include recording of telephone conversations for monitoring and quality purposes.	This is deemed legitimate as it is in customers' interest that we can access their data in order to resolve any queries, questions, concerns, complaints.	Irwin Mitchell Group – IT Department.  BSL, Redbox – call recording.  LPC Law.  Appointed Representatives.  FCA.  Financial Ombudsman.
To enable us to locate customers who have lost touch with their creditors.	To meet the requirements of a contract between the creditor and customer.	We use UK Search to help us locate Customers.
To enable us to manage customer accounts that have been outsourced to us by financial organisations.	To meet the requirements of a contract.	Irwin Mitchell Group – Risk and Compliance, IT Department, Accounts Department.
To assist you with equity loan management advice.	Legal obligation.	Irwin Mitchell Group.

#### 4. Your rights?

Under the terms of data protection legislation, you have the following rights as a result of using this website:

##### **Right to be informed**

This privacy notice fulfils our obligation to tell you about the ways in which we use your information.

##### **Right to access**

You have the right to ask us for a copy of any personal data that we hold about you. This is known as a "Subject Access Request". Except in exceptional circumstances (which we would discuss and agree with you in advance), you can obtain this information at no cost. We will send you a copy of the information within 30 days of receiving your validated request.

To make Subject Access Request, please write to our **Group Data Protection Officer at Ascent, Imperial House, 31 Temple Street, Birmingham B2 5DB**

##### **Right to rectification**

If any of the information that we hold about you is inaccurate, you can either:

- Contact us on 0345 604 0860
- Contact our Group Data Protection Officer at Ascent, Imperial House, 31 Temple Street, Birmingham B2 5DB or via email at **dataprotection@irwinmitchell.com**

##### **Right to be forgotten**

From 25 May 2018, you can ask that we erase all personal information that we hold about you. Where it is appropriate that we comply, your request will be fully actioned within 30 days. For further information, please contact 0370 1500 900 or alternatively, please contact our Group Data Protection Officer at Ascent, Imperial House, 31 Temple Street, Birmingham B2 5DB or via email at **dataprotection@irwinmitchell.com**

##### **Right to object**

You have the right to object to:

- the continued use of your data for any purpose listed in section 3 above for which consent is identified as the lawful basis for processing i.e. you have the right to withdraw your consent at any time.
- the continued use of your data for any purpose listed in section 3 above for which the lawful basis of processing is that it has been deemed legitimate.

##### **Right to restrict processing**

If you wish us to restrict the use of your data because (i) you think it is inaccurate but this will take time to validate, (ii) you believe our data processing is unlawful but you do not want your data erased, (iii) you want us to retain your data in order to establish, exercise or defend a legal claim, or (iv) you wish to object to the processing of your data, but we have yet to determine whether this is appropriate, please contact our Group Data Protection Officer at Ascent, Imperial House, 31 Temple Street, Birmingham B2 5DB or via email at **dataprotection@irwinmitchell.com**

##### **Right to data portability**

If you would like to move, copy or transfer the electronic personal data that we hold about you to another organisation, please contact our Group Data Protection Officer at Ascent, Imperial House, 31 Temple Street, Birmingham B2 5DB or via email at **dataprotection@irwinmitchell.com**

##### **Rights related to automated decision-making**

If you would like to object to automated decision making without any individual involvement, and to the profiling of your data, please contact our Group Data Protection Officer at Ascent, Imperial House, 31 Temple Street, Birmingham B2 5DB or via email at **dataprotection@irwinmitchell.com**

#### 5. Is the processing of information likely to cause individuals to object or complain?

Ascent is not aware of any justifiable reasons that would constitute a legitimate reason for objecting or complaining about the way we process or control information.

#### 6. How long will we retain information for?

Ascent will typically retain information for a period of seven years. This is due to regulatory reasons and to ensure our business records are adequate to maintain the requisite levels of insurance to protect both our clients and customers.

In some cases where Ascent is not the data controller, your information may be kept for a longer period due to our instructing client requirements. In such cases our clients will hold specific details of the retention periods should you require further clarification about this.

#### 7. Do I have the right to withdraw consent to hold my information?

Due to the nature of work undertaken by Ascent and the contractual position between our customers and clients there will not usually be a right to withdraw consent for Ascent to hold your information. This is because there is a legitimate reason for Ascent to control or process your information as described above, which is not based upon consent.

## 8. Overseas transfers

None of the information that we collect process or store as a result of this website is transferred outside of the European Economic Area (EEA). This includes information that is exchanged with any third-party organisation as described above.

## 9. Data privacy and security

Ascent maintain a comprehensive data management work programme, which includes processes for ensuring that data protection is a key consideration of all new and existing IT systems that hold personal data. Where any concerns, risks or issues are identified, we conduct relevant impact assessments in order to determine any actions that are necessary to ensure optimum privacy.

We also maintain an active information security work programme which seeks to protect the availability, confidentiality and integrity of all physical and information assets. Specifically, this helps us to:

- protect against potential breaches of confidentiality;
- ensure all IT facilities are protected against damage, loss or misuse;
- increase awareness and understanding of the requirements of information security, and the responsibility of our colleagues to protect the confidentiality and integrity of the information that they handle; and
- ensure the optimum security of this website.

## 10. General

Questions and comments regarding this Privacy Notice are welcomed, and should be sent to our Group Data Protection Officer at **dataprotection@irwinmitchell.com** Alternatively, you can write to our Group Data Protection Officer at Ascent, Imperial House, 31 Temple Street, Birmingham B2 5DB.

You can also contact our Group Data Protection Officer is you have any concerns or complaints about the ways in which your personal data has been handled as a result of you using this website.

Alternatively, you have the right to lodge a complaint with the Information Commissioner's Office who may be contacted at Wycliffe House, Water Lane, Wilmslow SK9 5AF or **<https://ico.org.uk>**

 0333 010 0067

 [www.ascent.co.uk/thirlmere](http://www.ascent.co.uk/thirlmere)

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Ascent is a trading style of Ascent Performance Group Limited, a company registered in England & Wales with number 6742453, having its registered office at: Riverside, East, 2 Millsands, Sheffield, S3 8DT and being a wholly owned subsidiary of Irwin Mitchell Holdings Limited. It is authorised and regulated by the Solicitors Regulation Authority (SRA ID: 570670). Ascent Performance Group Limited is also authorised and regulated by the Financial Conduct Authority and holds professional indemnity insurance. Please be aware that we record calls for training and quality assurance purposes and have a complaints handling policy and procedure.