



ASFL – Privacy Notice

About Us

Arbuthnot Specialist Finance Limited ("Arbuthnot Specialist Finance", "we" or "us") is a subsidiary of Arbuthnot Latham & Co. Limited ("Arbuthnot Latham") and acts as a specialist property lender operating in the niche short-term finance market. Arbuthnot Specialist Finance has issued this Privacy Notice to describe how we handle personal information that we hold about customers (collectively referred to as "you"). Arbuthnot Specialist Finance is the Controller of your personal information.

If you require any further information or wish to contact us or our Data Protection Office at any time our contact details are:

Address: Arbuthnot Specialist Finance Limited, 82 King Street, Manchester, M2 4QW

Telephone number: +44 (0)161 694 0059

Email: ASFLenquiries@arbuthnot.co.uk

How we obtain your personal data

We will receive personal data about you from a variety of sources including from you, automatically from your devices, credit reference agencies, fraud prevention agencies, other third parties (full list provided on request), and publicly available sources. We will also create personal data about you during the course of your relationship with us.

The types of personal data we will have about you

We may process a wide variety of data about you, where necessary, for the purposes set out in the "How We Will Use Your Data" section, including data about:

- you as an individual
- your employment
- people connected with you such as your spouse, any joint mortgage holders, or other financial associates
- your finances and the finances of any business you run
- your accounts, products and services you have with us
- your preferences
- your technology
- your profile
- your correspondence and documents we hold
- your criminal convictions and the results of checks we are required by law to undertake.

Special category data

Some personal data for example data about your health is subject to additional rights and are described as special category data. We will not normally ask for, or record, this special category data but we may ask for, and record, details about your health if it is necessary and relevant for the management of the account.

We will only do this if you have confirmed your consent to us doing so, or where we are legally permitted or required to process this information without seeking your consent. Where we have obtained your consent to us processing special category data in this way, you are entitled to withdraw your consent to this at any time.

We will also process any personal data relating to any criminal convictions you have for the purposes of allowing us to prevent fraud, comply with legal obligations imposed on us, manage risks and when deciding whether to lend money to you.

How we will use your data

We will use your personal data to:

- manage our relationship with you, to administer and provide the loan you have with us
- ensure that we have the information we need to administer the account and that other persons have the information they reasonably need
- identify and prevent financial crime
- comply with our legal, contractual and regulatory obligations, codes of practice and to run our business
- develop and improve our products and services
- undertake analysis, produce models, statistics, reports and forecasts
- investigate and respond to complaints, disputes and where necessary to bring or defend legal claims.

The legal grounds on which we will process your data

We will only process your personal data if we have a reason to do so that is legally permitted. When using your personal data for the purposes listed above we are relying on one or more of the following legal reasons for processing that data:

- the purpose is necessary for the performance of a contract with you or, if you asked us to, to enable us to enter into a contract with you;
- the purpose is necessary for us to comply with our legal obligations;
- the purpose is necessary for our legitimate interests; or
- if you have consented to us processing personal data for one or more specified purposes.

If we collect and use your personal information in reliance on our legitimate interests (or those of any third party), we will make clear to you at the relevant time what those legitimate interests are.

If you have questions about or need further information concerning the legal basis on which we collect and use your personal information, please contact us using the contact details provided under the “How to contact us” heading below [\[link\]](#).

Who we share your data with

We may disclose your personal information to the following categories of recipients:

- to our group companies, third party services providers and partners who provide data processing services to us (for example, to support the delivery of, provide functionality on, or help to enhance the security of our Website), or who otherwise process personal information for purposes that are described in this Privacy Notice or notified to you when we collect your personal information.
- to any competent law enforcement body, regulatory, government agency, court or other third party where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person;
- to an actual or potential buyer (and its agents and advisers) in connection with any actual or proposed purchase, merger or acquisition of any part of our business, provided that we inform the buyer it must use your personal information only for the purposes disclosed in this Privacy Notice;
- to any other person with your consent to the disclosure.

How long we will hold your data for

We will keep your personal information for as long as you are a client of Arbuthnot Specialist Finance. After you stop being a client, we may keep your data for a period of time afterwards:

- To maintain records to comply with our legal and regulatory obligations;
- To respond to any questions or complaints;
- To show that we treated you fairly;
- If we cannot delete it for legal, regulatory or technical reasons.

When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymise it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

Fraud Prevention Agencies

We may need to confirm your identity before we provide products or services to you or your business. Once you have become our client, we share your personal information as needed to help detect money-laundering and fraud risks. We use Fraud Prevention Agencies (FPAs) to help us with this.

Both we and FPAs can only use your personal information if we have a good reason to do so. It must be needed either for us to obey the law, or for a 'legitimate interest'.

We use the information to:

- Confirm identities.
- Help prevent money-laundering and fraud.
- Fulfil any contracts you or your business has with us.

We or an FPA may allow law enforcement agencies to access your personal information. This is to support their duty to detect, investigate, prevent and prosecute crime.

FPA's can keep personal data for different lengths of time. They can keep your data for up to six years if they find a risk of money-laundering or fraud.

Below are examples of the personal data that is used:

- Name.
- Date of birth.
- Residential address.
- History of where you have lived.
- Contact details, such as email addresses and phone numbers.
- Financial data.
- Data relating to your or your business' products or services.
- Employment details.
- Data that identifies computers or other devices you use to connect to the internet. This includes your Internet Protocol (IP) address.

We and FPA's may process your personal information in systems that look for fraud by studying patterns in the data. We may find that an account is being used in ways that fraudsters work. Or we may notice that an account is being used in a way that is unusual for you or your business. Either of these could indicate a possible risk of fraud or money-laundering.

If we or an FPA decide there is a risk of fraud, we may stop activity on the accounts or block access to them. FPA's will also keep a record of the risk that you or your business may pose.

This may result in other organisations refusing to provide you with products or services, or to employ you.

FPA's may send personal information to countries outside the European Economic Area ('EEA'). When they do, there will be a contract in place to make sure the recipient protects the data to the same standard as the EEA. This may include following international frameworks for making data sharing secure.

Credit Reference Agencies

We also supply your personal information to credit reference agencies (CRAs) in order to process your application and they will give us information about you, such as about your financial history. We do this to assess creditworthiness and product suitability, check your identity, manage your account, trace and recover debts and prevent criminal activity.

We will also continue to exchange information about you with CRAs on an ongoing basis, including about your settled accounts and any debts not fully repaid on time. CRAs will share your information with other organisations. Your data will also be linked to the data of your spouse, any joint mortgage holders or other financial associates.

When CRAs receive a search request from us they will place a search footprint on your credit file that may be seen by other lenders.

The identities of the CRAs, and the ways in which they use and share personal information, are explained in more detail at www.equifax.co.uk/crain, www.experian.co.uk/crain or www.callcredit.co.uk/crain.

If you choose not to give us personal data

We may need to collect personal information by law, or under the terms of a contract we have with you.

If you choose not to give us this personal information, it may delay or prevent us from meeting our obligations. It may also mean that we cannot perform services needed to operate your accounts or policies. It could mean that we cancel a product or service you have with us.

Your legal rights

You have a number of rights over your personal data processed by us. These include your rights to request:

- a copy of the personal data that we hold about you.
- that we correct incomplete, inaccurate or outdated personal data.
- that we transfer personal data you have provided to us to you or to another person.
- we delete your personal data.
- our use of your personal data ends, is restricted or limited.

The extent of these rights are limited by law and we may not act on part or all of your request(s) where the right(s) are not applicable. If we do not act on your request we will explain our reasons for not doing so when responding to your request.

If you require any further information about how we handle your personal data, including details of the relevant fraud prevention agencies we use, or wish to make a request to exercise any of your rights under applicable Data Protection laws, please see our full privacy notice or contact our Data Protection Officer.

Profiling

In some instances, we may use your personal information to evaluate certain aspects relating to you, for example to analyse or predict matters such as your financial position or reliability. This is done on the basis of our legitimate interest in ensuring that the financial product we provide is suitable and that we are aware of any relevant risks. You have the right to object to such processing, as set out above.

Sending your personal data outside the United Kingdom and the European Economic Area

We will only send your data outside the European Economic Area ('EEA') to:

- Follow your instructions.
- Comply with a legal duty.
- Work with our agents, advisers and third party service providers who we use to help run your accounts and services.

If we do transfer information to our agents or advisers outside the EEA, we will make sure it is protected in the same way as if it was being used within the EEA. We will use one of these safeguards:

- Transfer it to a non-EEA country with privacy laws that give the same protection as the EEA.

- Put in place a contract with the recipient that means they must protect it to the same standards as the EEA. Read more about this on the European Commission Justice website.
- Transfer it to organisations that are part of EU-US Privacy Shield. This is a framework that sets privacy standards for data sent between the US and EU countries. It makes sure those standards are similar to those used within the EEA.

You can find out more about data protection on the European Commission Justice website (https://ec.europa.eu/info/law/law-topic/data-protection_en).

How does Arbuthnot Specialist Finance Limited keep my personal information secure?

We use appropriate technical and organisational measures to protect the personal information that we collect and process about you. The measures we use are designed to provide a level of security appropriate to the risk of processing your personal information.

Cookies and similar tracking technology

We use cookies and similar tracking technology (collectively, “Cookies”) to collect and use personal information about you. For further information about the types of Cookies we use, why, and how you can control Cookies, please see our Cookie Notice [link].

How to complain

If you are unhappy with the outcome of any of your requests to exercise your rights, or how we handle your personal data then please let us know. You are also entitled to complain to the Information Commissioner’s Office:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email: Casework@ico.org.uk

Tel: 0303 123 1113