

Your personal
data is important
and protecting it
is a priority for us

Data Protection Notice

How we use your personal data
and your data protection rights



permanent tsb

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Data Protection Notice

Your personal data is important to you and protecting it is a priority for us. This data protection notice explains how we, as a “controller” under the General Data Protection Regulation (“GDPR”) use your personal data, and your rights, as a “data subject”, in relation to your personal data.

1 Who we are

When we talk about ‘Permanent TSB’, or ‘we’ or ‘us’, we are talking about Permanent TSB p.l.c. with registered offices at 56-59 St. Stephen’s Green, Dublin 2 and registered company number 222332, and its parent company (Permanent TSB Group Holdings p.l.c.), subsidiaries and affiliates.

Permanent TSB is a provider of retail and business banking services in Ireland. We offer savings, current accounts, overdrafts, credit cards, term loans mortgages and invoice financing. We also act as an intermediary for home insurance, life assurance, investments and pensions.

For more information, visit www.permanenttsb.ie

2 What is personal data

When we talk about personal data we are talking about any information that relates to you.

Personal data covers items such as your name, address, email address, mobile number, date of birth and Personal Public Service Number (‘PPSN’). It also includes the numbers of any accounts or policies you hold, and financial information, including details of transactions and balances appearing on your account, information on your personal finances, details relating to creditworthiness and information on any collateral or security you provide to us. Personal data also includes any correspondence or other engagement you have with us or any of our service providers and any documentation connected to you, your loan and/or your security that is held by us or on our behalf.

Personal data includes special categories of data which merit additional protection, such as data revealing your racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade-union membership, and your genetic data, biometric data for the purpose of uniquely identifying you, or data concerning your health or sexual orientation. In addition, personal data includes data relating to criminal convictions and offences.

3 How we collect your personal data

We ask you directly for the personal data that we require to deliver our products and services to you. In addition, we gather your personal data:

- » Through our interactions with you, for example via email, postal correspondence, telephone calls, over our websites and the permanent tsb Mobile Banking App
- » When you enquire about, make an application for, or use, any of our products and services, including through the transactions you make and the technology you use, such as our online services (e.g. website, apps)
- » If you choose to make transactions on accounts held with other banks available to us through a regulated third party payment services provider (such as an Account Information Service Provider ('AISP'))- for example when submitting a loan application so that we can understand your overall financial position. This will only happen with your consent.
- » From publicly available sources, such as electoral registers, the Companies Registration Office and social media

We will also, with your consent, collect your location data (e.g. to help you locate a branch via the permanent tsb Mobile Banking App) and gather data through the cookies we use on our website. Cookies are small text files that may be stored on your computer or mobile device that contain data relating to a website you visit. For more details on how we use cookies, see our Cookie Notice, which is available on <https://www.permanentsb.ie/legal-information/our-policies-other-important-information/cookies/>.

In addition, we receive personal data from third parties such as credit reference agencies, fraud prevention or government agencies. We may also receive your data from third parties such as brokers if you engage with them in relation to availing of any of our products or services.

Please note that if you provide us with another person's personal data (e.g. in a joint application for a bank account or insurance product) you need to obtain their agreement to do so and provide them with this data protection notice.

We may sometimes process your personal data even if you are not our customer, for example, if you process debit and credit card transactions with our customers, if you are a guarantor, director, shareholder, an additional card holder, a representative, or authorised attorney of our customers. In such cases, we will process your personal data in accordance with this notice.

4 How we use your personal data

We collect and use (or “process”) your personal data for a number of different reasons. Any time we process your personal data, we must have a legal basis to do so. The various ways we process your personal data and the legal bases we rely on are outlined below:

4.1 For the performance of our contract with you

We process your personal data in order to provide the products or services that we have agreed with you in accordance with our terms and conditions. This includes processing to:

- » Help us assess and understand your requirements and, where relevant, your capacity to repay a loan. In this context, we will collect and use information provided by you at the time of application, information obtained from credit reference agencies and information we may already hold about you. This includes details such as your employment status, salary and financial commitments (monthly outgoings, number of dependants etc.), and the manner in which you manage your bank accounts. For more information on how we use credit scoring to assess applications, see section 6 below.
- » Set up and manage your account(s), policies and any other services
- » Contact you by post, telephone, text message, email or via our Open 24 online or mobile banking app, including to provide you with service related information
- » Process the transactions associated with your account(s) including payments made by or to you, deposits, withdrawals, interest and other agreed fees and charges
- » Manage the administration of any loyalty or reward programmes that you may have signed up to
- » Administer and manage any account that is in joint names, or any loan that has a co-borrower or guarantor, including processing the other party’s personal data, and disclosing your personal data to that party, if required in relation to such account(s) or loan

- » Facilitate any restructure of your loan or other contract with us. For this purpose, we may need to request and process additional personal data from you, such as details regarding your income and expenditure
- » Manage any arrears on your account(s) and, where necessary, facilitate the recovery of outstanding borrowings. In such circumstances, we may use third-party debt recovery agencies and solicitors, and, in this context, disclose your personal data to such parties

4.2 Where you provide your consent

We may, at times, request your consent to process your personal data for specific reasons, such as:

- » Where we wish to provide you with marketing information in relation to Permanent TSB products and services, or partner company products or services, which we believe may be of interest to you. We will only contact you for direct marketing purposes where you have specifically consented, and you may opt out of direct marketing at any time (see section 12 below).
- » Where you have appointed a third party to represent you and deal with us on your behalf (for example in an arrears situation) and we need to share your personal data with them
- » Where we need to process special categories of data (for example, where you disclose health related data in the context of a forbearance request). We may also process your biometric data to verify your identity when you open or operate an account. In such cases we will ask for your explicit consent.
- » Where you have engaged a broker to assist you, and you wish us to share information in relation to your selected product or service with your broker

Where we process your personal data on the basis of your consent, you have the right to withdraw your consent at any time (see sections 11 and 12 below for more details).

4.3 For compliance with our legal obligations

We will use your personal data to the extent necessary to comply with applicable legal and regulatory obligations. We will process your personal data on this basis, including in the circumstances described below:

- » To fulfil our tax and regulatory reporting obligations, for example:
 - verifying your PPSN (or foreign equivalent) to comply with Revenue requirements

- collecting, reviewing and reporting certain information (such as your jurisdiction of residence and Tax Identification Number) to Revenue and applicable international tax authorities in compliance with the Common Reporting Standard ('CRS') and Foreign Account Tax Compliance Act ('FATCA')
- » Where we are required to disclose information by or to a court or regulatory authority with appropriate jurisdiction, or to law enforcement agencies such as an Garda Síochána
- » To comply with our legal obligations under anti-money laundering ('AML')/counter-terrorist financing and sanctions laws, we will:
 - request certain documents, such as photo ID and proof of address, at account opening and at intervals thereafter in order to verify your identity and address; and retain a copy of these on file
 - conduct customer due diligence checks in line with the risk of financial crime
 - screen new applications, existing customers and incoming/outgoing payments to comply with international laws on sanctions, combatting terrorism and other financial crime
 - if any suspicion of financial crime activity is identified, report to relevant law enforcement authorities
- » To assess your suitability for a particular product
- » For compliance with our obligations under the Central Bank of Ireland ('Central Bank') Consumer Protection Code, which includes retaining data in relation to the provision of financial products and services to you for specified time periods
- » Before offering you a loan or other credit product, we are required to assess your ability to repay. To do this, we will check your credit records with credit reference agencies, such as the Central Credit Register ('CCR').
- » We are required under the Credit Reporting Act 2013 to report to the CCR on how you repay your loan or other agreed credit facility (including reporting any arrears or failure to repay such facilities). Your credit records will be available to lending institutions and may affect your future ability to borrow
- » If you have a mortgage or other credit facility with us, and you fall into arrears, we will use your contact details to get in touch with you to understand the cause and try to help you address your arrears problem

- » In the event that we repossess your property, we will, if requested by Revenue, provide Revenue with certain personal data relating to you, such as your name, date of birth and correspondence address, in order to facilitate the assessment and collection of Capital Gains Tax, Income Tax and Value Added Tax
- » Where required or permitted by law we will process data in relation to criminal convictions and offences, including in the context of applications for home insurance products
- » To comply with our obligations to assess and manage our credit risk and to have an up-to-date view and understanding of all credit facilities, we analyse our customer loans, current and historical, using complex mathematical models. We will include your data in this analysis

4.4 Where necessary, in our legitimate interests

We process your personal data where it is in our legitimate interests as a bank. When we process your personal data in our own interests, we will seek to maintain a balance between our interests and your rights and freedoms. We will process your personal data on this basis:

- » In certain circumstances we will check your credit records with the Central Credit Register under powers granted by the Credit Reporting Act 2013. For day to day operational and business purposes to ensure we conduct our business in a responsible and commercially prudent manner including for:
 - management, financial and regulatory reporting
 - internal administration and planning, including statistical analysis, modelling and research, strategic planning and audit purposes.
 - management of Permanent TSB legal and compliance affairs
 - maintaining and improving internal business processes, such as creating efficiencies in the manner in which we conduct our day to day business to ensure our processes are cost effective and optimised to best serve our customers.
 - management of network and information security including testing our websites and other systems, and ensuring fraud prevention protections are in place
 - maintenance of business continuity, disaster recovery and back up arrangements

- ensuring the safety of our staff, customers and premises, for example through the recording of CCTV images at Permanent TSB premises and ATMs, and processing such CCTV images where necessary for security, crime and fraud prevention purposes
- » We will share data with third party service providers (our “processors”) where necessary in our legitimate interests for operational and business purposes. Examples of such third parties are listed in section 7 below.
- » To help us improve our services and systems, and our customers’ experience with us through:
 - analysis of personal data generated from your use of our services
 - quality assurance of our sales and services including the review of our application processes, recorded calls, online and branch interactions to identify training and process improvements
 - analysis of complaints, errors and feedback
- » To understand and assess our customers’ requirements, and to help us continually develop, improve or identify products and offerings for our customers (including to identify products which might be relevant and personalised to you); for these purposes, we carry out activities such as:
 - analysis of trends and behaviours in the usage of our products and services, for example the use of Open24, our banking app and branch visits
 - market research at individual, group or industry level
 - analysis of customer demographics such as gender, age and occupation
 - transactional analysis, for example in relation to direct debits, average balances and purchases
 - combining data from your interactions with us across multiple platforms to create a single view of your relationship with Permanent TSB
 - placing you into a segment with similar customers, in order to better tailor our products and services, and our marketing messages, to your individual needs
 - combining your personal data with third party data such as economic or research data

In carrying out the above activities, we may share your personal data with our service providers, including when contacting you for customer or market research or to deliver personalised communications. You can ask us to stop using your data for direct marketing purposes at any time (see section 12 below).

- » We may also contact you (e.g. via your email address) to carry out surveys to help us improve our products and services.
- » To record and monitor telephone calls and electronic communications in the interests of quality assurance, and for training, verification, analysis and regulatory purposes
- » To obtain advice from external legal and other advisors
- » In connection with the reorganisation or sale of the whole or part of our business or the transfer (including by way of securitisation or loan portfolio sale) of any loan or product provided to you
- » In circumstances where we repossess your property, we may, if requested by Revenue/Local Authorities, provide them with certain personal data relating to you, such as your name, date of birth and correspondence address, in order to facilitate the assessment and collection of Local Property Tax ('LPT') and the Non Principal Private Residence ('NPPR') charge

5 Implications of not providing your personal data

Please note that, in some cases, if you do not provide the personal data we need, or help us keep your data up-to-date, we may not be able to continue to operate your account and/or provide certain products and services to you.

6 Decisions made using automated processing

6.1 Credit scoring

When you apply for a credit facility, part of the credit assessment process may include an element of automated statistical analysis of information or profiling ("credit scoring") to determine whether or not the product meets your needs. Credit scoring is an automated process that helps us determine if you qualify for a loan, and assess risk fairly and consistently. This process is necessary for assessing your application and for entering into a credit agreement with you.

Credit scores are automatically calculated using elements from a range of data we hold in relation to you. This includes information: you provide as part of your application; obtained from credit reference agencies; and information that we may

already hold about you, e.g. salary, financial commitments, the manner in which you manage your bank accounts, current borrowings, whether you have kept up to date with payments on current and previous credit facilities, and if you have had a court order or judgement made against you, such as a declaration of bankruptcy, which might be relevant to your credit application.

Credit scores form one element of the overall assessment process when you apply for a loan. The credit scoring models we use are regularly tested to make sure they remain effective, fair and unbiased.

6.2 Solely automated data processing

When you apply for a credit product on-line, the decision whether to approve credit may be made based solely on automated processing and scoring of your application, using the information and methodology described at 6.1 above.

If you do not agree with any decision we make in relation to you which is based solely on automated processing, you can speak to a branch member or call Open 24.

7 Who we share your personal data with

We will share your data, when necessary, within Permanent TSB. In addition, we will share your personal data (as described in Section 2 above) with third parties in the course of providing our services to you, and where necessary based on our legitimate interests for business, legal and regulatory purposes, including in the circumstances described below:

- » We will share your data with third parties who provide a service to us, for example:
 - print and distribution services providers
 - legal advisors
 - debt recovery agencies
 - tracing agencies
 - estate agents
 - professional services consulting firms
 - identity verification agencies
 - IT solutions companies including cloud service and storage providers
 - marketing and market research agencies

- companies we appoint to help us manage arrears resolution and companies we appoint (including Pepper Ireland) to provide loan servicing or asset management and administration services
- our instant mobile payments service provider
- » We will share your data where necessary to facilitate payments to or from your account, for example with other banks and payment processing service providers, with our card issuer, Visa, with providers of payment-processing schemes such as SWIFT (Society for Worldwide InterBank Financial Telecommunications) which enables money transfers, and EBA Clearing, which enables transfers in euros within the SEPA area (Single Euro Payments Area) and, where you have signed up for digital wallet services, with providers such as Apple Pay or Google Pay
- » Where you have chosen home insurance and/or life assurance products with our insurance partners, we will share your data with those companies in connection with the provision and administration of insurance products and related services
- » Where we partner with the Strategic Banking Corporation of Ireland (SBCI) to provide loans, or with companies who provide services such as invoice financing
- » Where we re-organise, sell or transfer all or part of our business (including by way of securitisation or loan portfolio sale of any loan or product provided to you), information may be shared with any relevant third party
- » If your loan is transferred, we will continue to retain and process your personal data for a minimum period after the transfer, for compliance with Central Bank of Ireland or other legal or regulatory requirements, including engaging with the relevant third party in relation to your loan where required for such purposes
- » We also have to share information with third parties where required by applicable law or regulation including to statutory, regulatory and enforcement authorities, such as Irish Government or statutory bodies (for example Revenue, the Central Bank of Ireland, the Data Protection Commission)
- » We may also share your data with law enforcement agencies such as An Garda Síochána where required or permitted by law

If you hold an account in joint names, or any loan that has a co-borrower or guarantor, your personal data may be shared with the other party. In the case of a joint account, certain details in relation to the joint account may be shared with a joint account holder's personal representatives if required in relation to the administration of that account holder's estate.

In circumstances where we engage a third party service provider, we require assurances that they have implemented appropriate safeguards and controls in relation to the protection of personal data.

In any case where we share your personal data with a third party data controller (including, as appropriate, counterparties to transactions on your accounts), the use by that third party of your personal data will be subject to that third party's own data protection policies.

Where you engage a regulated third party payment services provider (Account Information Service Provider ('AISP') or Payment Initiation Service Provider ('PISP')) to provide services involving your online accessible accounts, they will have access to view and transact on all accounts that are available for you to view on Open24, which will include your personal data. This can include accounts on which you are a joint account holder or otherwise have access. You need to let any other person who has an interest in a joint account or other account to which you have access know that you have appointed a third party payment service provider.

8 Transferring your personal data outside of the EEA

Personal data may, at times, be transferred outside Ireland in connection with transactions on your account. Such transfers will be made in accordance with your instructions, where you have explicitly consented, and/or as otherwise required or permitted by law.

In general, where we transfer your data outside of Ireland, this will be to other countries within the European Economic Area ('EEA'), which will have data protection laws which are the same as or broadly equivalent to those in Ireland.

Some transfers may be to countries outside of the EEA. This includes transfers to the United Kingdom, which, following Brexit, is no longer a member of the EEA. If we transfer your personal data to such countries, we will take steps to put appropriate safeguards in place to comply with our obligations under applicable data protection law and ensure that your personal data is still protected. The measures that we rely on to protect your personal data when it is transferred to such countries include:

- » transferring to countries which the European Commission has approved as having an adequate level of protection for personal data
- » use of special contracts or "model" data protection clauses that have been approved by the European Commission
- » reliance on Binding Corporate Rules
- » reliance on one of the derogations set out in Article 49 of the GDPR, such as where the transfer outside of the EEA is necessary for the performance of a contract

More information in relation to international data transfers and the safeguards which can be implemented can be obtained on the EU Commission website:

https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/rules-international-data-transfers_en#international-transfers-of-personal-data

9 How long we keep your personal data

We will retain your personal data for no longer than is necessary for the purpose for which it was obtained by us or as required or permitted for legal, regulatory, fraud prevention and legitimate business purposes, including, if relevant, to deal with any claim or dispute that might arise in connection with the services you receive from us.

In general, the period for which we retain your personal data will be determined having regard to any statutory obligations imposed on us by law. For example, we are required under the Consumer Protection Code to retain certain information (e.g. details of products and services provided to you) for 6 years after the end of our relationship with you.

We may, in certain cases, retain your information for longer periods, particularly where required by order of a court, or in the context of an investigation by regulatory or law enforcement agencies. This is to ensure that we will be able to produce records as evidence, if required.

10 Keeping your personal data safe and secure

We have implemented technical and organisational security measures to protect your personal data when it is being processed and stored. These include:

- » Controlling access to help prevent unauthorised viewing or alteration of your personal data
- » Minimising the data sets and/or anonymising data that we use to protect our customers when we process your personal data for the various activities outlined above
- » Using encryption mechanisms, where appropriate

11 Your rights in relation to your personal data

Under data protection law, you have a number of rights in relation to your personal data. You have the right to:

- » **Access:** to know if we process your personal data, access your personal data and receive a copy of your personal data that we process in paper or (if you request) electronic form

- » **Rectification:** to have your data rectified where it is shown to be inaccurate or out of date
- » **Erasure:** to have your data erased in certain circumstances (for example if you withdraw your consent to the processing of such data, provided that there is no legal requirement for us to retain it)
- » **Restriction:** to request a restriction on our processing of your personal data, for example, where you believe that:
 - the processing is based on inaccurate data, or
 - we are not processing your personal data in a lawful manner
- » **Objection:** to object to processing activities in our legitimate interests, including the right to object to profiling on this basis (such as the activities described in section 4.4 above) where such activities impact on your rights and freedoms as an individual and we have no compelling interests outweighing your rights and freedoms
- » **Portability:** to receive a copy of your personal data in a portable format in circumstances where you have provided your data on the basis of your consent, or for the provision of our services and which is generated through the use of that service. You can also request that a copy of this data-set is sent to another bank or other service provider. Please note however that where you have asked us to send your personal data to a third party, we are not responsible for their use of your personal data. We would recommend that you read any data protection notice that such third party provides to you
- » **Withdraw your consent:** to withdraw any consent that you have provided for specific processing activities. Please note that if you withdraw your consent to our processing of your personal data for any specific activity, this will not affect the validity of any processing carried out on the basis of your consent prior to such withdrawal

PLEASE NOTE: The above rights are subject to exemptions and may not apply in all circumstances. If you object to, or ask us to restrict, our processing of your personal data, or ask us to delete your data, we may have to suspend the provision of our products and services to you.

12 How to exercise your rights

In Permanent TSB we have established a dedicated team to help you to exercise your rights under data protection law. You can contact this team directly:

- » By post: Data Subject Rights, Permanent TSB, 56/59 St. Stephen's Green, Dublin 2
- » Via Open24 Online Banking: Please click the 'Do More' link in the navigation menu and then select "Manage my data".

You can also go to your local branch or call our telephone banking service on 0818 50 24 24.

In exercising your rights we will need to verify your identity to help ensure that no one else seeks to use your rights to access or interfere with your personal data.

How to object to direct marketing

If, at any time, you wish to object to, or 'opt out' of, direct marketing, we will stop marketing to you if you write to us at FREEPOST F4940, Customer Data Quality (Direct Marketing), Permanent TSB p.l.c., 56-59 St. Stephen's Green, Dublin 2, phone on 0818 50 24 24 or +353 1 212 4101, or go to your local branch.

13 Contacts

If you wish to exercise your data protection rights, please contact our Data Subject Rights team using the contact details set out in section 12 above.

If you have any queries or complaints about how we process your data, please contact our Data Protection Officer ('DPO'), by email at dpo@permanenttsb.ie or in writing to Data Protection Officer, Permanent TSB p.l.c., 56-59 St. Stephen's Green, Dublin 2.

If you have a complaint, please provide as much detail as you can regarding your issue so that it can be effectively addressed. We would however caution you against including large amounts of personal data in an email, as email is an inherently insecure communication and may be viewed in transit by third parties.

You also have the right to make a complaint to the Data Protection Commission where you feel that your rights have not been appropriately served by us. You can contact the Data Protection Commission via: www.dataprotection.ie/en/contact/how-contact-us; or by emailing info@dataprotection.ie or writing to Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2, D02 RD28.

14 Changes to this Data Protection Notice

We will make changes to this notice from time to time, particularly when we change how we use your personal data and change our technology and products. Please visit our website www.permanenttsb.ie/dataprotection to view the most up-to-date version of this notice.

You can ask us for a copy of this notice either in branch, by calling 0818 50 24 24, or writing to Customer Services, Permanent TSB p.l.c., 56-59 St. Stephen's Green, Dublin 2.

permanent tsb p.l.c. is regulated by
the Central Bank of Ireland.

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