



# **1st Locate (UK) Limited Fair Processing and Privacy Notice**

## 1st Locate (UK) Limited Fair Processing and Privacy Notice

1<sup>st</sup> Locate is committed to protecting the rights and privacy of data subjects and ensuring all data is processed in line with the requirements of The General Data Protection Regulation 2016/679 (also known as 'GDPR'). This document sets out how 1<sup>st</sup> Locate processes data and your rights as the 'data subject'.

### Who are we?

1<sup>st</sup> Locate (UK) Limited [trading as LCS] is a limited company registered in England and Wales.

1<sup>st</sup> Locate (UK) Limited, Apson House, Bullerthorpe Lane, Colton, Leeds, LS15 9JN

Company Registration Number: 03702599

Data Protection Registration Number: Z6791585

Authorised and regulated by the Financial Conduct Authority: 705145

We work on behalf of many companies including utility (gas, electricity and water) companies, local and central government, telecoms and financial services (banks, credit cards, insurance providers) to collect outstanding balances due to our clients. We **do not** purchase any balances, and all ownership of the balance/liability remains with our client.

Where we use "we", "our" or "us" in this privacy notice, we mean 1<sup>st</sup> Locate (UK) Limited unless we say otherwise.

**Please note that we are not the Data Controller in these matters.** We process data on behalf of the Data Controller. The Data Controller determines the purposes and means of the processing of personal data, and we process personal data in accordance with their instructions. Accordingly, we are the Data Processor in these matters.

### Who is the Data Controller?

This will all depend on which company has instructed us to collect the balance. Please contact us with your case reference number (displayed on our letters, emails and SMS) and we will advise you of the full details of the Data Controller.

### What information do we hold or collect about you?

Our clients [the Data Controllers] may have passed some details about you to us to enable us to carry out our instructions. The personal information may include the following:

- your name
- your contact details (including your current and previous addresses, telephone numbers and e-mail addresses)
- your gender
- your date of birth
- details about your account with the client [supply dates/balance/previous payment history]

In addition to the above, we may also collect the following information about you:

- financial information about you including your income and expenditure and any other details about your ability to pay the amounts you owe
- the recordings of our calls with you
- with your explicit consent, we may collect information about your mental and physical health. For more details about how we use this information, please see the section Special categories of personal data in our full privacy notice.
- we may also collect publicly accessible information about you, for example through searches of credit reference agency information or website searches (e.g. Google search engine), where we have been unable to contact you using the contact details that we hold for you.
- information about you contained in correspondence with you and with third parties
- if you make a payment by credit or debit card, we process your card information for the purposes of taking your payment, but we **do not** store your card details and
- details of any queries, disputes or complaints you may raise with us.

## Where do we get your information from?

We obtain information from many different sources.

**Information that you give us:** You may give us information about yourself and your circumstances in any communications with us by telephone, email, post, social media or otherwise, whether this is regarding your account or to report an issue, ask questions or make a complaint.

**Information that we collect about you:** We may collect information about you that is publicly accessible, for example:

- through a Google search
- news and social media reports
- entries in online directories and
- information, which is available at Companies House,

where we have been unable to locate you using the contact details that we hold for you.

**Information that we obtain from our clients [the Data Controllers]:** we receive information from our clients about your account(s) to manage your account and collect payments. This includes:

- your name and contact details (including your current and previous addresses, telephone numbers and e-mail addresses)
- your gender
- your date of birth and
- information about your account including the outstanding balance, your payment history and details of any defaults or missed payments.

**Information that we obtain from credit reference agencies:** Credit reference agencies (or CRAs) hold personal information about individuals. Most of the personal information they hold relates to how you have maintained your credit accounts. They also hold address details and information taken from public sources, such as the electoral roll, public records including county court judgments (CCJs) and bankruptcy and insolvency information. If you are financially associated with another person (which means that you have a joint credit account or mortgage with them), we will receive financial information relating to that association.

When our clients instruct us, we may obtain information about you from one or more of the following credit reference agencies: Experian, Equifax.

We collect this information to confirm the details provided by our client of your account, to verify your identity and confirm the accuracy of the information that we hold about you and to locate you if we don't have a current address for you.

The two credit reference agencies listed above have put together an information notice which explains in more detail, how they each use and share personal information they receive about you, which is available at [www.experian.co.uk/crain](http://www.experian.co.uk/crain) and [www.equifax.co.uk/crain](http://www.equifax.co.uk/crain).

**IMPORTANT:** we may check your credit file for the purpose of tracing your new address. This check is called a 'soft search' and may leave what is known as a "soft footprint". This means that it is not visible to any other organisations and will not affect your credit score. It can only be seen by you, us and the credit reference agency and will show as account administration on your credit file.

**Information that we obtain from third party data providers:** we may also obtain information about you from third party data providers which are not credit reference agencies. We use this third-party information to identify customers who have become bankrupt or insolvent or who are deceased and to confirm your contact details.

**Information that we collect from other third parties:** We may receive information about you from other third parties including:

- debt management companies who you have authorised to act on your behalf
- any other person who has your express authority to act on your behalf, including someone who is acting under a power of attorney

### **Call recording**

We may monitor and/or record calls for the purposes of resolving issues on your account, training and to improve our quality and service standards.

**We may combine the information that you give us with the information we collect about you from the other sources listed above.**

## **Why do we need your information?**

We need your information to carry out our debt collection activities. These include:

- locating you, checking your identity and confirming that the information we hold about you is correct
- managing your account
- agreeing payment plans which are tailored to your individual circumstances
- processing any payments, you make
- providing information to our clients [the Data Controllers] about the payments you make and any payments you miss

As the balance is due to our client and they have instructed us to collect the balance, we have a legitimate interest in collecting the amounts that you owe.

Where we process your information based on "legitimate interests", we must make sure that those legitimate interests **do not** override your interests, rights and freedoms. We must do this by carrying out a legitimate interest assessment which we must share with you. This is set out below.

## What are the legitimate interests?

- As we are instructed to collect the balance on behalf of our clients (who own the right to collect the balance), it is in our shared commercial interests to collect the amounts that you owe.
- We will always deal with your account in the way we believe is in your best interests. This includes agreeing a payment plan which is tailored to your individual circumstances to help you reduce the amount you owe.
- We provide additional support to those individuals who may be vulnerable.
- It is also in the public interest for debts which are properly owed to be repaid.

## Why is it necessary?

If we don't process your information, we can't:

- make sure we are dealing with the correct person
- make sure that the information we hold about you is correct
- collect the amounts that you owe
- manage your account in the way that we believe is in your best interests
- agree a payment plan with you which is tailored to your individual circumstances
- provide you with additional support when you need it and provide our clients with accurate and up to date information about the amounts that you owe.
- we won't have the same level of understanding of your personal circumstances,
- we won't be able to tailor the way we manage your account as closely to your personal circumstances
- we won't be able to provide you with the same level of customer service.

## What is the impact on you?

We collect, use and share your information as set out in this privacy notice, which means that we and the third parties we've told you about have access to your information.

However, we are authorised by the Financial Conduct Authority which means that we are required to act fairly, ethically and lawfully.

We also minimise the impact on your data protection rights, interests and freedoms by:

- making sure we comply with the data protection rules including the UK Data Protection Act and GDPR
- only collecting the minimum amount of information, we need to carry out our debt collection activities
- having a retention policy to make sure that we don't keep your information for any longer than we need it
- carrying out data protection impact assessments to make sure that we identify any potential privacy risks and put appropriate measures in place to protect you from those risks
- carrying out due diligence on the third parties we work with and making sure that we have contracts in place with those third parties to protect your personal information
- providing you with this privacy notice which explains how we use your information, what your rights are and how to exercise them and

- putting in place appropriate security measures to protect your information including have an ISO27001 certificate, which means that we meet the internationally recognised standards for managing risks to the security of the information we hold.

We may also use your information to comply with our legal and regulatory obligations, for example:

- the Financial Conduct Authority requires us to understand whether our customers may be vulnerable (including any physical or mental health conditions you may have) which may mean that you need additional support from us to manage your accounts
- to comply with our obligations under the anti-money laundering and counter-terrorist financing legislation and for crime and fraud prevention.

Please note that you **do not** have to give us any information or confirm that the information we have obtained from the third parties detailed in "Where do we get your information from?" is correct.

If you don't provide us with relevant information, we may not be able to manage your account in the way that is best for you or agree a payment plan which is tailored to your needs. The more we understand about your personal circumstances, the better equipped we are to offer suitable and affordable repayment plans and to provide you with any additional support you may need.

### **Special categories of personal data**

Under the data protection rules, information revealing the following are "special categories of personal data":

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic information
- biometric information
- information concerning health (including mental and physical health) or
- sex life or sexual orientation.

We **do not** collect this type of data from you.

However, you may wish to provide us with information about your mental or physical health and how this affects your ability to pay.

Where you provide us with information relating to your health by telephone, we will obtain your explicit consent to record and process that information. You can withdraw your consent to us processing and storing this information at any time.

We only collect the minimum amount of information about any physical or mental health conditions you may have that we need to make sure that:

- we comply with the FCA's requirements to treat you fairly and assess whether we believe you may be a vulnerable customer or whether you may need additional support from us
- understand whether your condition has or may have an impact on your ability to pay the amounts you owe
- we deal with your accounts in the way that we believe best suits your needs
- we make sure that any payment plan which we agree with you is tailored to your circumstances
- wherever possible, we communicate with you using your preferred method of communication and
- we take any other steps we believe are necessary to deal with you fairly.

If you send us information about your health conditions either by post or by email, we will use this information in the way that we've explained above on the basis that we need it to protect your economic well-being as you may be vulnerable or at economic risk due to your health conditions.

## Who do we share your information with?

We sometimes need to share some of your information with other organisations.

### Information that we share with credit reference agencies

When we are instructed to trace customers to their new address, we may share the following information with the credit reference agencies, Experian and Equifax:

- your name
- your contact details (including your current and previous addresses, email addresses and telephone numbers)
- your date of birth

The credit reference agencies listed above have put together an information notice which explains in more detail, how they each use and share personal information they receive about you, which is available at [www.experian.co.uk/crain](http://www.experian.co.uk/crain) and [www.equifax.co.uk/crain](http://www.equifax.co.uk/crain).

### Information that we share with third party data providers

We may also share information about you with third party data providers which are not credit reference agencies.

We share:

- your name
- your contact details (including your current and previous addresses, email addresses and telephone numbers)
- your gender and
- your date of birth.

This is to confirm your contact details.

### Information that we share with law enforcement and emergency services

If we identify evidence of fraud, money laundering or any other financial crimes in relation to your account, including where you have been the victim of identity theft, we will share those details with the police, the National Crime Agency and other law enforcement agencies. We may also share information with HM Revenue and Customs where appropriate.

If we believe you may be in immediate danger, we may share your information including details of your physical and mental health conditions with the police and other emergency services.

### Information that we share with regulatory authorities and Ombudsman Services

We are authorised by the Financial Conduct Authority. This means that we are required to report certain things to the Financial Conduct Authority which may mean sharing information about you if there is an issue or complaint in respect of your account.

We are registered with the Information Commissioner's Office and if you make a complaint to them, we may have to share information about you and your account.

We also deal with the Financial Ombudsman Service and the Credit Services Association (a trade association) and we may share information with them about you and your account in order to resolve your complaint.

### **Information that we share with our client [The Data Controller]**

We may share some information with our client about your account if we need to verify any of the information that they have provided us or if there is an issue with your account.

We may also share call recordings and information about your account with our client for quality assurance purposes.

### **Information that we share with our third-party suppliers**

There are a number of carefully selected third parties who supply us with other products and services, such as IT and mailing services.

The information that we share with our suppliers will depend on the nature of the products and services that they provide to us, but we will only share the minimum amount of your information which is necessary for them to provide us with the products and services we need.

**A full list of our Suppliers is listed at Appendix A.**

### **Information that we share with other third parties**

We may also share your information with our insurers, lenders, legal and other professional advisers where necessary.

## **Where is your information stored?**

Your information is stored on 1st Locate (UK) servers at our head office Apson House, Bullerthorpe Lane, Leeds, LS15 9JN. We **do not** keep paper copies of information (we keep letters/post for a maximum of 30 days, but we take an electronic copy of all letters received).

## **How long do we keep your information for?**

We only keep your information for as long as we need it, and we will keep your information for no more than 6 years from the date you cease to have any active accounts with us. We keep your information for this long so that we can:

- deal with any issues or concerns that you may have about how we handled your account
- to answer any questions HM Revenue and Customs may have and
- defend any legal claims.

However, we won't keep all your information for this long, and we will delete some information much sooner.

We have a retention policy which we have written by considering all the different types of information that we hold about you, understanding how long we need to keep it for and agreeing not to keep it for any longer.

## What is the legal basis for processing my information?

1<sup>st</sup> Locate (UK) Limited uses the legal basis of 'legitimate interests' to process your data.

Legitimate interests are one of the six lawful bases for processing personal data. We have a lawful basis to process personal data in line with the 'lawfulness, fairness and transparency' principle of the GDPR.

The GDPR law states that, Article 6(1)(f) states:

"1. Processing shall be lawful only if and to the extent that at least one of the following applies:

(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child."

## What rights do you have?

Under the data protection rules, you have a number of rights in respect of your information and the way we use it. Some of these rights only apply in certain situations. We explain below what rights you have, what these mean and how they apply to the way we use your information.

| You have the right to           | What does this mean?                                                                                                                                                                                                                                  | How does this apply to the way we use your information?                                                                                                                                                                                                                                                                                       |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Access your information         | You can ask for: <ul style="list-style-type: none"><li>confirmation that we process your personal information</li><li>a copy of your personal information that we hold and</li><li>other information about how we process your information.</li></ul> | As we are the Data Processors, we will refer your requests for information to the Data Controller and they will fulfil this requirement.<br><br>The Data Controller will contact us and we will pass all information to them.                                                                                                                 |
| Have your information rectified | You can ask us to rectify your information if it is not accurate, complete or up to date.                                                                                                                                                             | We will update or correct your information, although sometimes we may need to ask you to provide evidence to confirm the changes, for example a copy of your marriage certificate if you are changing your name because you have got married.                                                                                                 |
| Have your information erased    | This is also known as the right to be forgotten.<br>You can ask us to delete your information where: <ul style="list-style-type: none"><li>we no longer need it</li></ul>                                                                             | As we rely on legitimate interests for most processing of your personal information, we will only be able to delete your personal information: <ul style="list-style-type: none"><li>if you withdraw consent for us to use information about your physical and mental health which you provided to us by telephone. If you withdraw</li></ul> |

|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                               | <ul style="list-style-type: none"> <li>• we rely on your consent to use your information, and you withdraw it</li> <li>• you object to our processing it and we have no overriding legitimate grounds to continue processing it or</li> <li>• we are legally required to delete it.</li> </ul> <p>This right does not apply where:</p> <ul style="list-style-type: none"> <li>• we are legally required to keep your information, for example under the anti-money laundering laws</li> <li>• we have a compelling legitimate ground for using your personal information or</li> <li>• we need your information to establish, exercise or defend legal claims, for example where there are ongoing court proceedings.</li> </ul> | <p>your consent to us using this information, it may prevent us from acting in your best interests, such as providing you with a payment plan which is appropriately tailored to your needs or offering you any additional support which you may need.</p> <ul style="list-style-type: none"> <li>• if you object to our processing your personal information and to carry out your request, we must erase your information and</li> <li>• where we no longer need your information.</li> </ul> <p>Although our retention policy means that we will delete your information once we no longer need it. Please see 'How long do we keep your information?' for more details.</p> |
| Restrict our processing of your information                   | <p>You may ask us to restrict our processing of your personal information where:</p> <ul style="list-style-type: none"> <li>• you believe the information we hold about you is inaccurate while we check whether it is accurate</li> <li>• we no longer need your information, but you need it to establish, exercise or defend a legal claim or</li> <li>• you object to our processing your personal information while we reconsider our legitimate interest's assessment.</li> </ul>                                                                                                                                                                                                                                          | <p>We will not process your personal information whilst we consider your request. However, we will still be able to process your personal information for the purposes of any ongoing court or other legal proceedings.</p> <p>We will inform you if we begin processing your personal information again and explain why.</p>                                                                                                                                                                                                                                                                                                                                                   |
| Have your information transferred to you and/or a third party | <p>This is also known as the right to data portability.</p> <p>You can ask us to provide you with a copy of the information which you have provided to us and which we hold electronically.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>This right only applies to the information about your physical and mental health conditions you provided to us by telephone and which we use with your consent.</p> <p>We will provide this information to you in a commonly used and machine-readable format.</p>                                                                                                                                                                                                                                                                                                                                                                                                           |

Please note: We **do not** conduct any profiling or automated decision processes

We will always do our best to respond to your request within one month of receiving it and any additional information we need to confirm your identity and understand your request.

However, sometimes we may need some more time to deal with your request, particularly if it is complicated. Where this happens, we will write to you within one month and let you know why we need some more time and when we will provide you with our response.

If we are unable to carry out your request, we will send you a response explaining why.

If you would like to exercise any of your rights, please contact our Data Protection Co-ordinator by writing to Data Protection Co-ordinator, 1st Locate (UK) Limited, Apson House, Bullerthorpe Lane, Leeds, LS15 9JN.

## What if you have a complaint?

If you have any questions, concerns or complaints about the way 1<sup>st</sup> Locate (UK) Limited process your personal information, please contact our Data Protection Co-ordinator in the first instance by writing to Data Protection Co-ordinator, 1<sup>st</sup> Locate (UK) Limited, Apson House, Bullerthorpe Lane, Leeds, LS15 9JN and they will do their very best to help you.

If you are not happy with the way we have handled your complaint or are still concerned about our handling of your personal information, you have a right to take your complaint to the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF and [www.ico.org.uk](http://www.ico.org.uk).

## Changes to this notice

We will regularly review this notice and keep it updated to make sure that the information we provide you with is accurate and up to date.

Any changes to this notice will be highlighted so that you can see what has been changed.

Where we have made a significant change to the information contained in this notice, we will let you know either by email if we have an email address for you or in the next letter that we send you.

This notice was last reviewed and updated in May 2024.

**Appendix 1:** List of Suppliers who we may share your information with.

| Supplier Name                             | Address                                                                              | Why do they process personal information?                                                              | What information is shared?                                                                                 | What is the legal basis for processing the information? |
|-------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| Propack Limited                           | Units 4 & 5, Fieldhouse Park, Old Fieldhouse Lane, Huddersfield, HD2 1FA             | They print and mail customer letters on behalf of 1st Locate (UK) Limited                              | Names, Addresses, Details of payment plans, Details of Arrears Notices, Account Balances                    | Legitimate Interests                                    |
| Equifax                                   | Capital House, 25 Chapel Street, London, NW1 5DS                                     | They provide publicly accessible information to enable us to trace data subjects.                      | Names, Addresses, DOBs, Details of payment plans, Details of Arrears Notices, Account Balances              | Legitimate Interests                                    |
| Experian                                  | The Sir John Peace Building<br>Experian Way, Ng2 Business Park, Nottingham, NG80 1ZZ | They provide publicly accessible information to enable us to trace data subjects.                      | Names, Addresses, DOBs, Details of payment plans, Details of Arrears Notices, Account Balances              | Legitimate Interests                                    |
| The ReAD Group                            | The Pavilion, 1 Newhams Row, Bermondsey Street, London SE1 3UZ                       | We use their services for data validation and obtaining correct telephone numbers and email addresses. | Names, Addresses, Telephone numbers,                                                                        | Legitimate Interests                                    |
| Commify UK Ltd – The ‘Brand’ Is ‘Esendex’ | Wycliffe House, Water Lane, Wilmslow SK9 5AF                                         | Telecommunications, SMS messaging, IVR                                                                 | Telephone numbers                                                                                           | Legitimate Interests                                    |
| Genius PPT Limited                        | 1439 Cumbernauld Road, Glasgow, G33 1AN                                              | We use their technology to enable us to use an automated dialling service.                             | Names, Addresses, Telephone numbers, Details of payment plans, Details of Arrears Notices, Account Balances | Legitimate Interests                                    |
| Egain Communications Ltd                  | St Catherines House, Oxford Square, Oxford Street, Newbury, England, RG14 1JQ        | Online Webchat and Virtual Assistant provider                                                          | Names, Addresses, Telephone numbers, Details of payment plans, Details of Arrears Notices, Account Balances | Legitimate Interests                                    |