

Data Protection Information Notice given under Article 13 and 14 of the UK GDPR (“Fair Processing Notice”)

In accordance with Article 13 and 14 of the retained EU law version of the General Data Protection Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC applicable in the UK pursuant to the European Union (Withdrawal) Act 2018 (hereinafter the “UK GDPR”), **PRA Group (UK) Limited informs you that:**

1. **The Data Controller** of your personal data is PRA Group (UK) Limited located at PO Box 26249, Kilmarnock, KA3 1HA (hereinafter “PRA” “we” “our” and “us”). We are registered with the Information Commissioner’s Office and our registration number is Z6115807. Our registered office is Level 11, Riverside House, 2A Southwark Bridge Road, London, SE1 9HA.

Where your debt is not owned by PRA directly, PRA is appointed as a servicer on behalf of, and as authorised by, the legal owner of your debt, such as PRA Group UK Portfolios Ltd.

2. **Contact point** for matters concerning data protection or any questions you may have about this Notice:

- a. Post: PO Box 26249, Kilmarnock, KA3 1HA
- b. E-Mail: privacy@pragroup.co.uk
- c. Tel: 0808 196 5541

3. **Purpose of processing personal data and legal basis:**

a. Note that your personal data will be processed by us (as a servicer on behalf of, and as authorised by, the legal owner of your debt where your debt is not owned by PRA directly) for **the purposes of:** communication, collection of outstanding debt, trace activities, payment processing, customer support, complaints handling, customer satisfaction monitoring, risk assessments, due diligence and audits, compliance with contract terms, analysis, market research, production of reports and management information, behavioural scoring, prevention or detection of crime, defence of claims, evaluation of portfolios of debt, optimisation and improvement of our debt collection processes, training and quality assurance of staff, evaluation of your circumstances to provide you with solutions, evaluation, facilitation and administration of remediation actions in respect of your outstanding debt either by PRA, the legal entity for whom PRA services your debt or any party from whom an outstanding debt has been acquired, administrative and other debt collection purposes. We may also use your personal data to maintain and update records to ensure accuracy of processing, to provide reporting to the legal owner of your debt on whose behalf PRA is authorised to engage with you, to comply with legal and regulatory obligations to make information returns to regulators and legally constituted-bodies and to

resolve disputes with us, the legal owner of your debt or the original creditor.

b. **Our legal basis** for processing your personal data is:

- i. Pursuant to article 6(1)(b) of the UK GDPR we will process your personal data when it is necessary for the **fulfilment of obligations under the credit agreement** entered into by you with the original creditor, which obligations are now legally owed to PRA, or to an entity by whom PRA has been validly appointed as servicer, including the obligation to make payment, and/or
- ii. Pursuant to article 6(1)(c) of the UK GDPR we will process your personal data when that processing is **required or permitted by law** including but not limited to the Financial Conduct Authority’s (“FCA”) Consumer Credit Sourcebook; and/or
- iii. Pursuant to article 6(1)(f) of the UK GDPR we will process your personal data when it is necessary for the purposes of the **legitimate interest** of PRA or of an entity by whom PRA has been validly appointed as servicer. We have a legitimate interest in collecting the debt owed by you either to PRA directly or to an entity which has appointed PRA as its servicer and to process your personal data for that purpose.

4. **Categories of personal data**

We will process the following categories of personal data:

- a. information **relating to your identity** (e.g. first name, maiden name, last name, username or similar identifier, title, date of birth),
- b. information in order for **us to be able to communicate with you** (e.g. billing address, email address and telephone numbers),
- c. information relating to **your debt and payments** (e.g. bank account and payment card details),
- d. information about your **financial circumstances** (e.g. details about payments you have made to us),
- e. information about **your personal circumstances** (e.g. marital status, dependants, heirs, employment and income),

which, in each case, are provided by you, a third party authorised by you, available from the Credit Reference Agencies (“CRAs”) or one of the other data sources noted below, as well as other information relevant to your circumstances which impact your ability to pay your debt.

We may communicate with you by mail, e-mail, web chat, telephone and by SMS. Should we contact you by telephone or other form of electronic communication, or should you contact us by telephone or other form of electronic communication, we may monitor and/or record the telephone conversation or other electronic communication in the interests of security, to improve

our services, for training purposes, and to assist in collection of any outstanding debt.

Please also see our Privacy and Cookie Policy at <https://pragroup.co.uk/privacy-policy/> for how we process your personal data when you visit our website.

5. Special categories of personal data:

a. Our **legal basis** for processing special categories of personal data is:

- i. Pursuant to article 9(2)(a) of the UK GDPR, where you have given us your explicit consent to do so; or
- ii. Pursuant to article 9(2)(f) of the UK GDPR, where it is necessary for the establishment, exercise or defence of legal claims.

b. We will process the following information relating to **special categories of personal data**:

- i. information relating to health;
- ii. information relating to your religious beliefs, where provided by you in the context of PRA assessing your income and expenditure;
- iii. information relating to trade union membership, where provided by you in the context of PRA assessing your income and expenditure; and
- iv. information relating to your sexual orientation where provided by you in the context of PRA assessing your income and expenditure.

c. If you do give us your explicit consent, we will cease processing your special category data if you then withdraw your explicit consent.

6. Data sources:

a. Personal data that we hold about you, where not collected from you directly, has been collected from **PRA Group UK Portfolios Ltd** or the **original creditor** identified in the notice of assignment provided to you when your debt was acquired, either by PRA or by an entity by whom PRA has been validly appointed to service your debt.

b. We may collect data directly from **you**. Providing your personal data to us is voluntary, except where the ground for the processing of personal data is a legal obligation, in which case providing your personal data is mandatory. To the extent that the processing of your personal data takes place for the purpose of concluding or performing a contract, failure to provide your personal data will result in the inability to conclude and perform the contract. During conversations and contact with you, we will make notes that may contain other voluntarily provided information that we will process if we deem this information necessary for the purpose of processing personal data and if necessary to pursue a legal claim.

c. Moreover we may process personal data collected from:

- i. any other third party from whom PRA (or the legal owner of your debt, where this is not PRA) acquired an outstanding debt;
- ii. any third party authorised by you to communicate with us on your behalf;
- iii. your interaction with our services, such as how and where you access our services, your account activity, your settings and marketing choices, data gathered from the devices you use (such as computers, mobile phones and any other electronic devices) to connect to our web services (where we may also use cookies and similar tracking technologies to collect data), and when you receive, open or respond to emails we send you. For more information see our Privacy and Cookie Policy which is available on our website at <https://pragroup.co.uk/>;
- iv. CRAs;
- v. third party subcontractors duly authorised by one or more CRA;
- vi. social networks and other technology providers. For instance, when you click on one of our ads;
- vii. fraud prevention agencies;
- viii. public information sources such as the Electoral Register, Companies House, published media and social networks;
- ix. law enforcement agencies; or
- x. any other third party if there is a legitimate interest or your consent.

d. We may process special category data that has been received from you, or a third party authorised by you to disclose such special categories of personal data.

7. Data recipients

a. Your personal data may be transferred to entities cooperating with us on the basis of written contracts for entrusting the processing of personal data in order to perform the tasks and services specified in the contract for us. In addition, for the abovementioned purpose(s) we may **transfer your data to the following recipients**: (i) to the entity who is the legal owner of your debt; (ii) to any of our related affiliates within the PRA Group of companies; (iii) to CRAs (noting that this information may be added to your credit history as noted below) (iv) to any intermediaries or third parties who provide services to us, including companies used to send information to you or that provide us with support and technical assistance, debt collection agencies, law firms, insolvency practitioners, and intermediaries determining the whereabouts of debtors; (v) to fraud prevention agencies and law enforcement authorities, including where you give us false or inaccurate information or where we suspect or identify fraud including but not limited to the following: Cifas, National Crime Agency, Action Fraud, Police, Her Majesty's Revenue and Customs; (vi) to land registries, courts, governmental and nongovernmental regulatory

bodies and ombudsmen; (vii) to any third party who acquires or is interested in acquiring or securing, all or a portion of our assets, interests or shares, or who are our agents in respect of carrying out all or a part of our business, whether as a result of a merger, acquisition, reorganisation or otherwise; (viii) to the original creditor of your debt or any party previously holding legal or beneficial title to your debt (for example to enable them to conduct audits on us); (ix) where we have your consent or (x) to the extent required or permitted by law, including to comply with a legal summons or similar legal process or government request, to dispute resolution service providers, debt advice and debt management companies, or where we believe in good faith that disclosure of that information is legally required, or we have a legitimate interest in disclosing the information; for example, where it is necessary to protect our rights and property.

b. In addition, where we are permitted, we may share your personal data with CRAs and the information may be recorded by the CRAs in your credit history record. We may also make periodic searches at CRAs. Where CRAs carry out a search for us they will place a search footprint on your credit file. CRAs may supply us with both public and shared credit and fraud prevention information. CRAs will record all outstanding debt and may disclose this information to other organisations to perform further checks, trace your whereabouts or recover the debt. If you pay your account in full then we will update the reports accordingly. Records remain on file with the CRAs for 6 years after they are closed whether settled by you or defaulted. You should be aware that the existence of a default, particularly defaults which are not marked as “settled” or “satisfied”, may adversely affect your ability to obtain credit in the future. See below for further information on how your data may be used by CRAs. Please click on the following links and read the Credit Reference Agencies’ Information Notice (“CRAIN”) to see how Experian, Equifax and TransUnion process your personal data. Go to the following links:

<https://www.experian.co.uk/legal/crain/>
<https://www.equifax.co.uk/crain/>
<https://www.transunion.co.uk/legal/privacy-centre>

For details on how you can contact the CRAs please visit our website at <https://pragroup.co.uk/faqs/how-will-my-credit-report-be-impacted-by-having-a-debt-with-pra-group-where-can-i-check-my-credit-report/> or contact us on 0808 196 5541.

c. Your personal data may be **transferred to a recipient in a third country**. A third country is a country located outside the United Kingdom, including the United States of America, which may not have data protection laws equivalent to those in the UK. In such case, (and provided we are not restricted from transferring your personal data in this way), we will

take all necessary steps to ensure the safety and security of your personal data in accordance with applicable data protection laws. At present the European Union and the UK have similar data protection laws for individuals, and there are several other countries that the UK views as having adequate protection.

We may only transfer your personal data outside the UK if: (i) the UK Government has confirmed that the country to which we transfer the personal data ensure an adequate level of protection for your rights and freedoms; or (ii) appropriate safeguards are put in place such as binding corporate rules or standard contractual clauses approved for use in the UK; or (iii) compliance by US companies with their obligations under the EU-U.S. Data Privacy Framework and valid certification.

If your personal data is transferred outside the UK, at your request we will electronically provide you with a copy of the concluded contractual provisions and information on the scope of your personal data that has been transferred. Where necessary and upon explicit request, a paper copy of this information may be sent to you.

8. Data Storage

Your personal data will be retained by us:

- a. for as long as is reasonably necessary for the purposes for which the data is processed, however, different periods for keeping your personal data will apply depending upon the type of data being retained and the purpose of its retention;
- b. for as long as is reasonably necessary to respond to any queries by you or any regulatory authority, including but not limited to the FCA;
- c. for as long as is reasonably necessary to comply with any legal, contractual and regulatory obligations which PRA may have, including those requirements imposed by Her Majesty’s Revenue and Customs and other governmental, law enforcement and regulatory bodies; or
- d. for as long as is reasonably necessary to protect, establish or exercise our legal rights or defend against legal claims, including to collect a debt, and to comply with a legal summons, court order, legal process or other legal requirement.

9. Your Rights

We also inform you that, subject to further legal obligations, you have the following **rights**:

- a. **Right to access your personal data** - You have the right to ask for a copy of the personal data we hold about you.
- b. **Right to rectification of your personal data** - If you believe that any of the personal data we hold for you is incorrect, it is important that you make us aware as soon as possible, so that we can rectify our records.

- c. **Right to erasure (right to be forgotten)** - You have the right to request that we delete data relating to you.
- d. **Right to restriction of processing** - You have the right to request restriction of processing of your personal data.
- e. **Right to data portability** - You have the right to receive the personal data you have provided to us in a structured, commonly used and machine-readable format and the right to have that personal data transmitted to another data controller.
- f. **Right to object to processing** - You have the right to object to particular ways we are using your personal data. You also have the right to object where we are processing your personal data for direct marketing purposes.
- g. **Right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you** - As noted below, we may use the personal data we hold about you to conduct profiling and make decisions solely by automated means (for example, to predict how likely you are to be able to pay your debt, or how best to manage our relationship with you). However, we do not believe that this processing has either a legal effect or similarly significant impact on you.
- h. **Right to withdraw consent** - Where processing of your personal data is based on consent given to us for one or more specific purposes, you may **withdraw your consent** at any time provided that this does not affect the lawfulness of the processing based on consent before its withdrawal.
If you wish to withdraw your consent, please contact: privacy@pragroup.co.uk or tel: 0808 196 5541.
- i. **Right to lodge a complaint** - You have the right to complain if you consider that the processing of your personal data by us infringes your rights or applicable data protection laws. Contact details for complaints to us are as follows:

Head of Customer Services UK,
PRA Group (UK) Limited,
PO Box 26249
Kilmarnock,
KA3 1HA
Email privacy@pragroup.co.uk

You also have the right to complain to a competent supervisory authority. If you believe that your personal data has been processed incorrectly, you have the right **to lodge a complaint** with the competent supervisory authority. The name and address of the relevant competent supervisory authority is: **Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF**. You can also complain using their website at <https://ico.org.uk>.

In the event that you wish to exercise any of these rights you may do so: (i) by contacting us using any medium you wish, including in writing, by telephone,

by SMS or electronically; or (ii) through a third party whom you have authorised for this purpose.

In some circumstances, we will not be able to agree to your request, for example if the right does not apply to the particular information that we process or if we have a legitimate reason for not doing so.

10. **Profiling and automated decision making**

Your personal data may be processed automatically, including by way of profiling, in order for PRA, as the owner of your debt or as agent for the legal owner of your debt, to exercise legal and contractual rights in connection with your debt or to analyse the effectiveness of debt collection activities. Automated activities are, for example, the process of providing information about debtors to CRAs, provided that the requirements specified by law are met, or the process of analysing the relative benefits of different treatment options for the collection of your debt. However, we will always take action to contact you first to discuss settlement or full repayment of the debt, which if agreed will exclude your data from the indicated automated processes.

Personal data will not be processed in an automated manner (including in the form of profiling) in such a way that as a result of such automated processing, any decisions could be made that would cause other legal effects or otherwise significantly affect you. Profiling performed in connection with the analysis of the debt recovery process is aimed at identifying debts that we can solve amicably.

11. **EU Representative**

We have appointed PRA Group Polska Holding sp. z o.o., a company incorporated in Poland under company registration number 0000537397 with its registered office at Prosta 68, 00-838 Warsaw, Poland, to act as our representative in the EU/EEA. Contact details for our European Representative are as follows:

Email: eu_uk-dprepresentative@pragroup.eu

12. **Data Protection Officer**

Contact details for our Data Protection Officer are as follows:

Email: privacy@pragroup.co.uk

Post: PO Box 26249, Kilmarnock, KA3 1HA