

Fresh Start UK Debt Management Limited

Privacy Policy

Revision History / Document Control

Version	Revision Date	Revised by	Section Revised
V0620	06/2020	Compliance Department	Revision of the document – structure and contact info
V0519	05/2019	Compliance Department	Removal of DEMSA and general minor revisions
V0318	03/2018	Compliance Department	GDPR update
V0917	09/2017	Compliance Department	General update
V0316	03/2016	Compliance Department	General update
V0115	01/2015	Compliance Department	Standalone policy creating

Document Owner (Role)	Compliance Oversight (SMF16)
Department.	Compliance
Document Reference No.	PP220FCP
Version No.	6.0
Date	10/06/2020
Classification	Client and Internal
Next review date:	01/06/2021



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1 POLICY STATEMENT

Fresh Start UK Debt Management Limited (*hereafter referred to as the “Company”*) are committed to clear and transparent processing of personal data. We ensure that risk to Customer detriment is minimised and data is processed as required by law.

2 PURPOSE

This purpose of this policy is to provide clear understanding of how and what data we hold and process.

3 DATA PROTECTION ACT 2018 – HOW WE WILL USE YOUR INFORMATION

Please read the following section carefully, as it explains what personal information, we collect about you and how we use this information.

Data protection law in the UK changes on 25 May 2018, with the Data Protection Act 1998 being replaced with the European General Data Protection Regulation ('GDPR') and the Data Protection Act 2018 ('DPA'). This Privacy Statement explains how we process your information and your rights under both DPA and GDPR.

Fresh Start UK Debt Management ('Fresh Start UK') will use your information only to contact you to discuss the provision of debt solutions and related services. Where the service you have requested is provided on our behalf by a third party we will notify you of that fact. We will treat all your Personal Information as defined by the DPA and GDPR as confidential (although we reserve the right to disclose this information in the circumstances set out below). We will keep it on a secure server and we will fully comply with all applicable UK data protection and consumer legislation from time to time in place.

We will not retain your personal information for longer than is necessary for the maintenance of your account, or for legal or regulatory requirements.

Where you provide the name(s) or other personal information about family/household members you confirm that you have their consent to do so for the purposes set out in our Privacy Policy.

Any information we collect and hold is used to help us improve the quality of our service, including electronic call recordings, scanned documents and secure messages between you and us.

We confirm that any Personal Information that we collect about you, from which we can identify you, is held in accordance with the requirements of the DPA and GDPR. We use your information only for the following purposes:

- Provision of regulated debt management services
- Provision of claims management services in respect of PPI reclaims
- Provision of financial services and advice
- Debt administration and factoring
- Undertaking Know Your Client (KYC) checks
- To administer our websites
- Accounts and records
- For the prevention and detection of crime and the prosecution of offenders
- Advertising, Marketing and Public Relations on our own behalf or on behalf of third parties (subject to your consent)

Unless required to do so by law, regulation or contract, we will only collect, use and share information from and about you if we have agreed to this with you first.

When we contact you and collect Personal Information from you, you will be given the option to receive information from Fresh Start UK, or its business partners by post, e-mail, SMS or telephone, about products, promotions or special offers which we feel may be in your best interests. In the event that you do not wish to be contacted for such purposes, you will be given the opportunity to opt out of receiving information about such products, promotions or special offers from us or our trusted business partners.

We will not release your Personal Information or that of any family/household members to any company outside of Fresh Start UK for mailing or marketing purposes without your or their consent. You may unsubscribe from our mail, e-mail, telephone or SMS contact list at any time by replying to a promotional e-mail or SMS message with the word "STOP" in the subject line; by e-mailing us at privacy@freshstartltd.com or telephoning on 01482 247 999, Monday – Thursday 9am to 6pm and Friday 9am -5.30pm.

Your Personal Information may be disclosed to other businesses within the Fresh Start UK group and to reputable third parties who will help process any account, you may have with us. Fresh Start UK requires all such third parties to treat your personal information as fully confidential and to fully comply with all applicable UK data protection and consumer legislation from time to time in place.

You should be aware that if we are requested by the police or any other regulatory or government authority investigating suspected illegal activities to provide your Personal Information and/or User Information, we may be legally required to do so.

We use Cookies to personalise your experience and so that you may retrieve your details at any time – if you do not accept Cookies you may be unable to use these facilities on our website. See "About cookies" for further details.

Any changes to this policy will be posted on our website or notified to you in writing.

4 WHEN WE SHARE YOUR INFORMATION

We will treat your personal information as private and confidential but may share it with others and disclose it outside of Fresh Start UK if:

- allowed by the debt management agreement
- you explicitly consent
- HM Revenue & Customs or other authorities require it
- the law, regulatory bodies (including for research purposes), or the public interest permits or requires it;
- required by us or others to investigate or prevent crime
- required as part of our duty to protect your accounts, for example, we are required to disclose your information to the UK Financial Services Compensation Scheme (FSCS)

The DPA and GDPR define certain information as ‘sensitive’ (racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, sexual life, criminal proceedings and offences). We may ask you for some ‘sensitive’ details where you meet our Vulnerable Customer Policy. We will only use this information to provide the service you require and we will ask for your explicit consent. As a customer, there may be times when you give us sensitive information.

We will always ensure your information remains safe and secure.

The following personal data is collected, held, and processed by Fresh Start UK for the purposes of delivering its core services as a regulated debt management firm:

Type of Data	Purpose of Data
Personal details	For example, name and date of birth. To include previous names (e.g. maiden name or name before a Deed Poll change)
Identity information	For example, a copy of a driver’s licence or passport
Addresses	Current and previous, where this relates to credit agreements in the DMP
Contact information	For example; phone, mobile, email. Preferred time to contact and contact method preference
Financial information	Creditor information, including copies of agreements, statement and correspondence. Need to have accurate account numbers. Used to negotiate with creditors and to determine secure and unsecure creditors. This may be supplemented by credit report information to validate balances and the client’s ability to refinance as a debt remedy or be eligible for a form debt solution
Employment/income information	Including payslips and other income information in scanned format. Sometimes used to determine eligibility/suitability for some formal debt solutions. Basis of employment may be important (e.g. Fixed term contract, zero hours). This may include benefits

Website usage	Aligned to Cookie Policy
Expenditure information	Non-sensitive data to build the expenditure aspect of a financial statement. This may include medical, transportation and other costs that may relate to an individual in a vulnerable situation
Asset information	Details about assets or capital that may influence the debt remedy or creditor negotiation outcomes. This may involve public record searches of Zoopla or Land Registry. Valuation of assets may be applicable for some formal debt solutions
Sensitive data	Information about physical/mental health, trade union membership (if membership costs apply)
Household composition	Ages of children to determine budget figures. Number of adults and vehicles to determine budget figures/allowances
Payment information	Bank account details for collecting payments into DMP by a range of payment methods

5 YOUR RIGHTS UNDER DATA PROTECTION LAW

We operate under the Data Protection Act 2018 ('DPA'). The DPA and GDPR apply to 'personal data' that we process and the data protection principles set out the main responsibilities we are responsible for. You have a right to receive a copy of the personal data that we hold about you.

To obtain a copy of the personal information we hold on you, please write to us at the address below or ring us on 01482 247 999 (Monday – Thursday 9am to 6pm and Friday 9am -5.30pm) and provide us with your details or ask for a Data Subject Access Request (DSAR) form.

Questions regarding this Policy should be directed to:

Data Protection Officer
 Fresh Start UK Debt Management Limited
 48-50 Lowgate
 Hull, HU1 1EN

We must ensure that personal data shall be:

- processed lawfully, fairly and in a transparent manner;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and where necessary kept up to date;
- kept for no longer than is necessary for the purposes for which the personal data are processed. We operate a data retention policy that ensures we meet this obligation. We only retain personal data for the purposes for which it was collected and for a reasonable period thereafter where

there is a legitimate business need or legal obligation to do so. For detail of our current retention policy contact our Data Protection Officer at privacy@freshstartltd.com.

- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

We ensure lawful processing of personal data by obtaining consent; or where there is a contractual obligation to do so in providing appropriate products and services; or where processing the data is necessary for the purposes of our legitimate interests in providing appropriate products and services.

In the majority of cases, we process personal data based on your contract (i.e. Debt management agreement) with us. In other cases, we process personal data only where there are legitimate grounds for so doing.

To meet its Data Protection obligations, we have established comprehensive and proportionate governance measures. We have our own Data Protection Officer to oversee data protection compliance across Fresh Start UK through:

- a. implementing appropriate technical and organisational measures including internal data protection policies, staff training, internal audits of processing activities and reviews of internal HR policies.
- b. maintaining relevant documentation on processing activities.
- c. implementing measures that meet the principles of data protection by design and data protection by default including data minimisation, pseudonymisation, transparency, deploying the most up-to-date data security protocols and using data protection impact assessments across our organisation and in any third party arrangements.

You have the following specific rights in respect of the personal data we process:

1. The right to be informed about how we use personal data. This Privacy Statement explains who we are; the purposes for which we process personal data and our legitimate interests in so doing; the categories of data we process; third-party disclosures; and details of any transfers of personal data outside the UK.
2. The right of access to the personal data we hold. In most cases, this will be free of charge and must be provided within one month of receipt.
3. The right to rectification where data are inaccurate or incomplete. In such cases, we shall make any amendments or additions within one month of your request.
4. The right to erasure of personal data, but only in very specific circumstances, typically where the personal data are no longer necessary in relation to the purpose for which it was originally collected or processed; or, in certain cases where we have relied on consent to process the data, when that consent is withdrawn and there is no other legitimate reason for continuing to process that data; or when the individual objects to the processing and there is no overriding legitimate interest for continuing the processing.
5. The right to restrict processing, for example, while we are reviewing the accuracy or completeness of data, or deciding on whether any request for erasure is valid. In such cases,

we shall continue to store the data, but not further process it until such time as we have resolved the issue.

6. The right to data portability which, subject to a number of qualifying conditions, allows individuals to obtain and reuse their personal data for their own purposes across different services.
7. The right to object in cases where processing is based on legitimate interests, where Our requirement to process the data is overridden by the rights of the individual concerned; or for the purposes of direct marketing (including profiling); or for processing for purposes of scientific / historical research and statistics, unless this is for necessary for the performance of a public interest task.
8. Rights in relation to automated decision making and profiling.

Please contact our Data Protection Officer at privacy@freshstartltd.com for more information about the GDPR and your rights under Data Protection law.

If you have a complaint about any data protection matter then contact our Data Protection Officer at complaints@freshstartltd.com. Alternatively, contact our supervisory authority for data protection compliance (www.ico.org.uk):

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

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

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