



# PRIVACY POLICY

For External Use

Privacy policy and adherence to the General Data Protection Regulations and the Data Protection Act 2018

The IVA Advisor Limited  
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# The IVA Advisor Limited Privacy Policy

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## Introduction

The IVA Advisor Limited is committed to preserving and respecting your privacy.

The following policy to understand how we use and protect the information that you provide to us.

This privacy policy will apply to you if you provide your personal information to us, even if you subsequently decide not to proceed. It is also used by all companies within The IVA Advisor group and our affiliate companies with whom we may share information (see below for further details). This privacy policy sets out how we will use your personal data to provide our services to you.

On the basis that you been advised that we have a privacy and data policy and that you have the option not to proceed with our services, you consent to the collection, use and transfer of your information under the terms of this policy.

## Our Privacy Promise

We promise:

- To keep your data safe and private
- Not to sell your data
- To give you ways to manage and review your information at any time.

## What Personal Information We Collect

We will only collect information that we need, or where we are required to collect the information to enable us to perform our legal, regulatory, or contractual obligations necessary to provide you with the products or services, or where we have your permission.

The type of information that we may collect will probably include the collection of some or all the following:

- Your personal details such as name and date of birth
- Your address
- Contact details such as phone number and email address
- Special personal information such as health information including mental as well as physical health
- Details about your family unit and some of their details
- Financial information such as details of your income and expenditure, assets, and liabilities
- Employment information
- Information about your creditors
- Information on how you use our website(s) and products and services

## Special Personal Information

Data protection law defines some personal information as “special categories of data”. This includes information about physical or mental health, sexual life, religious beliefs, race or ethnic origin, political

opinions, trade union membership or biometric data. Some of this information may be necessary to collect when understanding the reason for your financial circumstances, or where it may help us to provide a better service to you and obtain a better understanding of your financial situation. For example, a period of ill health could have caused you to fall behind with your regular payments to your creditors.

Where we need to collect and process this type of data about you, by providing this information to us you give your explicit consent for us and any other third party to process this special data as set out in this privacy policy, unless we have a legal obligation to process this type of data.

Any personal information about you relating to criminal convictions or offences may only be used by us when authorised by law.

## Information About Other People

If you provide personal information about someone else, for example when a joint application is made, or you provide details about a member of your family unit, you must do so with the permission of the other person. If you enter a service jointly with another person (for example, an interlocking Individual Voluntary Arrangement “IVA”), your personal information and any information about the service provided to you will be shared with the other person.

We will use the personal information about the other person in the ways as described in this policy.

## How We Collect Your Personal Information

We may obtain personal information from you in several ways:

- When you make an application or enquiry to us either by email, phone, via our website, by a third party or by any other means
- By adding reviews or interacting with us using social media such as Twitter or Facebook
- When we may need to obtain up to date information about you to meet our legal or regulatory obligations
- Information received from a third party, for example a creditor providing information about an account you hold with them, or where you have previously agreed for your information to be shared with us, for example, if you have been introduced to us by another company
- When you participate in market research
- Where you have given permission for your information to be provided to us

## How We Use Your Personal Information

We can only use your personal information where it falls into one or more of the following categories:

- It is necessary to enter or fulfil a contract we have with you
- You have provided your consent
- We have a legal or regulatory obligation to do so
- It is necessary to carry out a task that is in the public interest
- It is necessary to protect your vital interests
- It is in our legitimate interest to do so, and it is not against your rights

## Initial Application

Where you make an application or enquiry for one of our products or services, we will use your information to provide you with appropriate information to recommend a suitable debt solution. If you cannot provide this information, we may not be able to progress with your application or enquiry.

We may also use this information to contact you about and process your application, for example, sending you an email, text message or letter to welcome you to our services.

We will process the personal data we collect about you for the purposes set out below at Purposes for Processing your Personal Data.

After you have made your initial application/enquiry, if you also decide to go ahead with any of the products or services that we offer, the sections below explain how we will also process your data when we provide that product(s) or service(s).

## Debt Solution Information

Where we give you information on a debt solution, we will process your personal information to administer the service we provide. This may include contacting you where we may need further information or sending you updates on the progress of the service that we provide to you.

The information below specifically explains how and why your personal data will be used so that the service can be provided to you. When providing you with information on a debt solution we collect and use your personal information under the lawful basis of our legitimate interest and is necessary to enable us to provide you with the best advice possible.

## What Personal Data We Need to Collect

To be able to provide you with information on a debt solution we need to collect certain categories of personal data. This will include:

- Contact details. This is so we can contact you about and process your enquiry
  - Your full name
  - Address
  - contact number
  - e-mail address
- Personal and financial details. We need this so that we can decide whether an IVA is appropriate for you and so that we can draft and send a proposal to your creditors.
  - Your date of birth
  - Gender
  - Any previous names that you were known by
  - Your living arrangements
  - Employment details
  - Details of any dependants
  - Details of any assets you hold

- Your payment information.
- The people you owe money to and your property and assets. Creditor details (including the names of your creditors, reference numbers and balances). This is so we fully understand your financial situation and give you personalised advice that's tailored to you
- Your income and expenditure. Details of your financial position including all sources of income and your household expenditure. This is so we can accurately work out what you can afford to pay towards your debts and make sure the solution we recommend is the right one for you
- Call Recordings, Chat Logs and E-mails. When you contact us by telephone, your call may be recorded for training and monitoring purposes. We also keep any e-mail correspondence and online chat logs to help us to manage your IVA.
- Special personal information. Only with your permission and where this is relevant to your financial situation and how a debt solution needs to work for you, or where we have a legal right to do so. With your permission, we may use information from your credit file to confirm certain information, including about your lenders, balances, account numbers, your account, address and insolvency history and details of any County Court Judgments. We will also use this information to confirm your identity and to comply with Anti-Money Laundering legislation.

## Who Will the Data Be Shared With?

We may share your information with our Debt Solution Providers/partners. This includes other companies who provide and/or administer the financial solutions plans on our behalf. We will only share your information with them if they have agreed to keep it confidential.

In addition, your information may be shared with:

- Your Creditors and their representatives. Your personal data will be shared with your creditors, their agents, debt collectors, bailiffs and solicitors dealing with the debts. This is key to allow us to provide the service we have agreed to provide you and ensures that we comply with our regulatory obligations.
- Our regulators, the Information Commissioner's Office, or any other regulatory body or authority may request certain information as part of their role in regulating and monitoring us. We have a legal or regulatory obligation to provide this.
- The Insolvency Service. If your IVA is accepted, then details about you and your IVA will be recorded on the Insolvency Register which is accessible by the public. The information we share includes your name, gender, date of birth and address. We have a legal obligation to supply this information.
- If you have provided your authority, if we have a legitimate interest to do so or where we may be legally required to, we will share information with credit reference agencies to obtain information about your financial history or your credit commitments. For further information on how credit reference agencies may use your personal information you can view the Credit Reference Agency Information Notice which can be obtained from the three main credit reference agencies, TransUnion (formerly Callcredit), Equifax, and Experian.
- We may from time to time need to instruct solicitors to assist with the administration of your IVA or to assist us with legal, regulatory, and contractual obligations.
- We use third-party software companies to help manage your data. These include, Hubsolv, a case management system, Secured Trading, a payment processor, telephony companies, so

we can communicate with you, and an external printing company, who print correspondence that we send to you. Additional companies may be used as necessary at our discretion.

These companies help us to provide our service to you. We have contracts in place with all providers to ensure that they comply with their data protection obligations and ensure that they have appropriate security measures in place.

## How Long Will Your Data Be Stored For?

If you continue to be our customer and we give you advice, we will keep a record of your personal information to ensure that we provide you with the best service possible and where we are required to keep your data to meet our legal and regulatory obligations. This will normally be kept for at least six years, starting from the date when we are no longer providing you with a service. Telephone calls will be retained for at least six years from the date the call was made.

If you do not go ahead with any product or service offered by us, your personal information will normally be deleted after two years (except for any recorded telephone calls) unless we have another reason to keep your personal information, for example, if you have given your consent to receive marketing or promotional messages from us.

After this time, we will delete the information or anonymise the data so that it cannot be linked back to you.

## Other Purposes for Processing Your Personal Data

### Websites and Marketing

To help us understand you better and provide you with information about other products which may be suitable and relevant, we may use your personal information to create a profile of you and your circumstances. This allows us to provide more relevant, accurate and tailored services to you. For example, we may assess your income and expenditure to determine whether you would be eligible for a debt solution through us. We believe we have a legitimate interest to do this and that it is not against your rights.

However, if you do not want us to profile your personal information this way, to then better enable us to tailor any marketing communications to you, you can contact us to let us know that you wish for your personal data not to be used in this way.

### Reviews and Market Research

Where we have details of your personal information, we may contact you to ask you to provide a review about the services you've received or where we are carrying out market research which may help us design future products and services or to help improve our current services. Although this information would really help us, you would not be required to provide us with this information unless you were happy to. We consider that this is in our legitimate interests to contact you in this way for market research purposes.



## Legal or Regulatory Obligation

We are required to process your personal information where we have a legal or regulatory obligation to do so, for example, to adhere to anti-money laundering or our regulatory obligations.

## Responding to Complaints or Enquiries

If you make an enquiry or complaint with us, we will use your personal information to investigate the complaint and deal with your enquiry. We have a legal and regulatory obligation to deal with your complaint appropriately.

## Internal Analysis

As part of our legitimate interest to develop our business and our products we will use your personal information to assess our performance as a business and for statistical analysis. We will use as little personal data as we can to achieve this

## Who Do We Share Your Information With?

We may share your personal information with the following organisations:

- IT Service Providers who provide IT platforms or other IT services
- Advertisers and social media companies such as Facebook, Google, and Twitter for our social media accounts or where we can contact you using your social media account
- Payment Service companies that process transactions for us such as Direct Debits and card transactions
- Communication providers such as telephone line providers, and email and text service providers.
- Third Party administrators who provide ongoing support with the administration of your product or service
- Third parties who may have introduced you to our services

We may also share your personal information where we have your consent to do so or where we are required to do so under a legal or regulatory obligation or court order, such as the police, local authorities or the courts.

## Fraud Prevention and Law Enforcement Agencies

The personal information we have collected from you may be shared with law enforcement agencies and fraud prevention agencies who will use it to prevent fraud, money-laundering, and terrorist financing and to verify your identity. If fraud is detected, you could be refused certain services, finance, or employment.

## Social Media

We use publicly available social media platforms to promote our services, to provide updates and to share any news and promotional updates. We may collect personal information from these social

media platforms, for example, if you post a message on our Facebook page. By providing any of your information to us through these platforms you should be aware that:

- The social media web pages are publicly available, and you must not provide any personal or sensitive information on our pages that are accessible to the public, such as your account information. We may ask you for your account information via a private message to identify you and to service any request you make
- Each social media platform will process any personal information you provide through the platform and will be processed in accordance with its own privacy policy. The privacy policies are available to view on each social media platform.

## Sharing Your Information Outside of the EEA

We will only share your personal information outside the European Economic Area (EEA), where we have your consent; to comply with a legal obligation; or where we work with a business partner to enable us to provide you with our services, and they process information outside of the EEA.

Please note that we currently out-source some of our operations to a third-party company in South Africa who have provided their data policies and security arrangements with us. They are subject to internal checks and scrutiny.

If we do share your information outside of the EEA, we will make sure that it is protected in the same way as if it was being used in the EEA to ensure appropriate safeguards are in place. This may include putting in place a contract with the business partner that means they must protect the personal data to the same standards as the EEA (this may include defined model clauses), or only share the data to a business partner in a non-EEA country where the privacy laws provide the same protection as within the EEA.

## Security

We take the protection of personal information very seriously and we will maintain appropriate measures to maintain the confidentiality, integrity, and availability of the information you have provided. Such measures include:

- Company security policies and standards
- Staff security awareness
- Access controls to prevent unauthorised access to information
- Encryption and anonymisation technology
- Anti-malware technologies
- Security monitoring
- Security testing
- Secure archiving and deletion
- Compliance with industry regulation and legislation

## How We May Contact You About the Products and Services We Provide to You

To help us keep you up to date about the products and services that we provide to you, and to ensure that you are kept fully informed, we may contact you by letter, telephone, email, text message, push notifications, social media or may send you messages by any online customer platforms or other electronic means.

If you start an application for a product or service through us, we will attempt to contact you shortly after if you were unable to complete your application for whatever reason.

If you do not want to be contacted in a particular way then you can request this at any time, but if we are providing a service to you, we do need to be able to send you communications. This can often be due to a legal or regulatory requirement.

It is important that you keep us up to date when you change your contact details to ensure that we use your up-to-date contact information.

## Recording Calls

We may record any telephone calls you make to us, or we make to you or any other third party. This is for training, monitoring and quality purposes and to meet our legal and regulatory obligations. Some telephone calls may be observed by staff for training and development purposes.

We may keep a copy of the telephone calls for up to six years from the date the telephone call was made.

## Your Rights

### Access To Your Personal Information

You have the right to request from us a copy of the personal information that we may hold about you. This is often called a "Data Subject Access Request". You can request this information by contacting us as set out below. We won't charge you to provide you with this information.

Before providing this information to you or to another person or company that you have requested this personal information to be sent to, we may ask for proof of identity or ask sufficient questions to enable us to locate the information and ensure that we're only providing it where you have given your agreement.

## Right To Have Your Personal Information Corrected

If the personal information we hold about you is incorrect you have the right to request that we correct this.

## Right To Stop or Limit the Processing Of The Data We Carry Out

You may request that your personal information is deleted or that we stop processing the information if we are no longer entitled to process it. There may be occasions where we are unable to delete the data due to our legal or regulatory obligations. We will however discuss this with you if you request for your information to be deleted.

## Portability

In some cases, you may be able to request for your information to be provided to you or to another company in a format that can be processed electronically by you or the other company. If you want to request this, you will need to contact us.

## Contact Us

If you have any questions or queries about how we use your personal information you can contact us using the address below:

Compliance Department  
The IVA Advisor Limited  
Cheadle Place  
Stockport Road  
Cheadle  
Cheshire  
SK8 2JX

## Updates To This Privacy Policy

Any updates to this privacy policy will be found on this page. If we make any important or significant changes to the way that may collect and use your personal information, we will endeavour to notify you of this change.

## Cookies

### What Are Cookies?

Cookies are small text files that are placed in your computer or mobile device when you visit a website. These are small text files that facilitate the processing of your data and enable us to analyse how the website is being used.

There are two types of cookies

- Temporary Cookies: these cookies form part of the security process and expire when you close your web browser
- Permanent Cookies: these cookies stay in your device for a longer period or until you manually delete them

Regarding the entity that sets the cookies, there are two types of cookies:

- First-party Cookies: these are cookies set by the website that you are visiting, either by us or by a third-party at our request
- Third-party Cookies: these are cookies set by a third-party rather than the provider of the website that you are visiting

### Why Are Cookies Used?

They help visitors to a website. Cookies allow sites to do things like provide personalised content and remember their log-in details and settings. You can turn them off at any time. This will not stop a website from working, but it might mean it will not work as well as it could, or that you have to do the same thing more than once.

They also help website owners. Cookies tell website owners things like, what search engine a visitor used to find the website, how often they have visited it, how long they have spent on it, and so on. Except for essential cookies, all cookies will expire after 10 years.

### Disabling/Enabling Cookies

You can accept or decline cookies by modifying the settings on your browser. Please remember though that disabling certain cookies may affect the functionality of our website.

Further information on the use of and managing cookies can be found at [allaboutcookies.org](https://www.allaboutcookies.org).