

Avamore Capital Formal Documentation

PRIVACY POLICY

Avamore Capital takes your privacy seriously. We have produced and updated this statement to establish our commitment to your privacy.

Data Controller

Avamore Capital Limited (Company No.09820738 and ICO registration no. ZA151062)

Address – 78 Cannon Street, London, EC4N 6HL

Telephone – 020 3440 9651

www.avamorecapital.com

Data Protection Contact

In the event that you would like to retrieve your data or have any specific questions, please contact the Director of Operations.

Telephone number – 020 3440 9651

Email: ss@avamorecapital.com

Who we hold information on

We hold information on customers, and where required by the product(s) applied for or by our legal obligations, we may also hold information on their associates, trustees, beneficial owners and guarantors.

If you apply for a product with a guarantor, that person will be bound by this privacy notice when he/she submits their own personal information to us because he/she must necessarily provide their details and sign the application form.

If there is somebody who has power of attorney over your affairs, that person will be bound by this privacy notice when we make contact with him/her directly.

Where the customer is a corporate entity, information will be stored on the individual signatories to the agreement including directors, trustees, beneficial owners and any guarantors.

We also hold information on all current, former and future employees of Avamore Capital.

How we use your information

We may use the personal information which we hold about you for the following legal reason(s). For some processing more than one legal reason may be relevant except where we rely on your consent):

Performance of Contract

We will process your personal information when that information is necessary to perform our contract with you, or for taking steps prior to entering into the contract with us.

We will do this for providing you with the product applied for and servicing that product during the life of the relationship. This could include:

- Updating, consolidating, and improving the accuracy of our records
- Arrears and debt recovery activities
- Sharing your personal information with payment services providers (this means a firm providing and maintaining a payment account) such as when you ask us to share information about your account with them
- Notifying you about important changes to the features and operation of the product
- Responding to your enquiries and complaints

Note, where appropriate, the same rules apply in relation to an employee's contract with Avamore Capital.

Legal Obligations

We will process your personal information when it is necessary to comply with our legal obligations including:

- Checking your identity (this means you as an individual and/or you as a person associated with a corporate entity who is our customer – as relevant), anti-money laundering checks and checks with Fraud Prevention Agencies pre-application, at the application stage, and periodically after that
- Crime detection, prevention, and prosecution
- Regulatory reporting
- When required by law and for compliance with laws that apply to us
- To process information about a crime or offence, and proceedings related to these (in practice this will be relevant if we know or suspect fraud); when we share your personal information with other people and organisations including:
 - Your guarantor (if you have one), joint account holders and any person with power of attorney over your affairs (in each case only if relevant to you)
 - Other payment service providers such as when you ask us to share information about your account with them
 - Governmental and regulatory bodies such as HMRC, the Financial Conduct Authority, the Financial Ombudsman Service, the Information Commissioner's Office
 - Courts and to other organisations where that is necessary for the administration of justice

Legitimate Interests

We will process your personal information where we consider that it is, on balance, after having considered your rights, appropriate for us to do so for the following legitimate interests (for ourselves and in some cases other organisations as listed below):

- Processing personal information about you as an individual and you as a person associated with a corporate entity (or its subsidiaries) who is our customer – as relevant. For example, a

signatory, director, trustee, >25% shareholder, controller or where you hold Power of Attorney for a customer

- To carry out searches at Credit Reference Agencies (CRAs) pre-application, at the application stage, and periodically after that
- Administering and managing your account and services relating to it
- Testing new systems and checking upgrades to existing systems
- To adhere to guidance and best practice under the regimes of governmental and regulatory bodies such as HMRC, the Financial Conduct Authority, the Financial Ombudsman Service the Information Commissioner's Office
- For some marketing purposes (this applies if you are a corporate customer or a Credit Intermediary/Broker/or other intermediary) and in that case we will market to you based on this being for our legitimate interests
- Processing your information where you provide us with a CV in relation to an employment vacancy you have applied for, or where you are submitting a CV with a view to future opportunities
- Portfolio modelling, statistical and trend analysis, with the aim of developing and improving products and services or modelling our risk profile
- For all of the Profiling that we do (see below for further information on Profiling)
- When we share your personal information with other people and organisations including:
 - the broker or other intermediary who introduced you to us (if you have one)
 - our legal and professional advisers, auditors and platform providers
- Organisations and businesses who provide services to us such as debt recovery agencies, field agents, solicitors and suppliers of back office/servicing functions or IT services; CRAs and other lenders who also hold or seek to hold a charge on any property on which we hold security
- Your guarantor (if you have one), joint account holders and any person with power of attorney over your affairs (in each case only if relevant to you)
- Other payment service providers such as when you ask us to share information about your account with them
- Governmental and regulatory bodies such as HMRC, the Financial Conduct Authority, the Ombudsman, the Information Commissioner's Office and under the Financial Services Compensation Scheme (in cases where we are not under a legal compulsion to provide the personal information but where we consider this necessary for legitimate interests);
- Buyers and their professional representatives as part of any restructuring or sale of our business or assets
- Providing feedback to recruitment agencies, headhunters and other agencies on the suitability of your CV or on any interview undertaken.

Consent

Your personal information may be used for other purposes for which you have given your explicit permission, including.

- Information Sharing – When you give your consent for Avamore to share your personal information with another party.

- Marketing – We will only send marketing materials related to our products and services to individuals it is valid to do so. You are in control of this consent and therefore it can be withdrawn at any time. Should you wish to do so please contact us on 020 3440 9651 or email enquiries@avamorecapital.com.
- Identification Checks – Avamore uses third party background checks to confirm our customer's identity for some products. You will be aware when this data is to be collected. Personal information will be held by Avamore Capital for the duration of the loan and after redemption in case of any legal matters following the transaction being closed out/
- Customer Wellbeing – Customer wellbeing is important and we may hold information on your health, or other Special Categories of personal data, in order to service your agreement with us appropriately. In such cases we will explain why the information is needed and ask you to provide your consent to it being processed where this is needed. However, please note that sometimes there may be reasons of public interest or law which enable us to use this information without consent.
- Criminal Convictions – We may store information about any criminal conviction you may have had as part of our credit risk assessment process. There are reasons of public interest or law which enable us to use this information without consent.

Source of Information

Intermediaries

Where you have applied to us via a Intermediary or Broker, your information will have been provided to us by them based on the legal ground of legitimate interests.

When a Credit Intermediary/Broker/ or other intermediary processes your personal information on our behalf, this privacy notice will apply, and you should contact Avamore's Head of Operations to exercise your rights under data protection laws.

When a Credit Intermediary/Broker/ or other intermediary processes your personal information as a data controller in its own right, its own privacy notice will apply, and you should ask them for a copy if you do not have one by the time you are introduced to us.

Credit intermediaries/Brokers send us personal information in many forms. We may receive your information via email, paper forms, emailed forms or through a secure computer system.

Direct Applicants

If you are applying or have applied directly to us, the information stored by us will have been received directly from you either electronically or in paper form. This includes any information provided for any joint applicant or associate for which you have obtained permission. If you make a joint application, you are responsible for sharing this privacy notice when requested by the other applicant and ensure they confirm that they know you will share information with us for the purposes described in it.

Other sources

We will also obtain personal information from CRAs (see below), public records and where you provide consent, business associates. Some of the personal information obtained from CRAs will

have originated from publicly accessible sources. In particular, CRAs draw on court decisions, bankruptcy registers and the electoral register (also known as the electoral roll).

We will also obtain personal information from Fraud Prevention Agencies (see below).

In addition, we may obtain personal information from your employer, landlord, other lenders, HMRC, Department of Work and Pensions, publicly available directories, debt recovery and/or tracing agents, other organisations who assist in prevention and detection of crime, police and law enforcement agencies.

In addition, as part of our Financial Crime/Anti-Money Laundering checks, we may use a service provided by third parties. These are resellers of data which they obtain from public sources, Experian, Equifax, HMRC and Dow Jones. They take data from these sources into their system to provide us with further information to complete our customer due diligence. This means these third parties are or maybe a source of the personal information we have about you.

We will also obtain personal information where you have provided your CV to a recruitment agency, head hunter or other agency with a view to obtaining employment and that agency has forwarded your details to us for consideration.

Who we may share the information with

We may share information outside Avamore if:

- Allowed by our agreement with you
- You provide consent
- It is needed by our agents, advisors or others involved in running accounts and services for you or collecting what you owe us (this would include debt recovery and field agents, solicitors, valuers and any supplier we have contracted with for back office/administration services)
- It is needed by subcontractors to help us manage your accounts or records required by HMRC or other authorities
- Permitted or required by the law, regulatory bodies or the public interest
- It is required by us or others to investigate or prevent crime
- It is needed by any other parties connected with your account (including guarantors)

Guarantor(s)

If you are a guarantor, the performance of the agreement to which you are a guarantor will not impact your credit profile unless a County Court Judgment is obtained against you, for non-payment/breach of the contract being your guarantee.

Credit Reference Agencies

We will perform identity checks on you, any joint applicant and guarantors, with one or more CRAs. We may also make periodic identity and financial crime searches to meet our on-going regulatory responsibilities.

We will not perform soft credit checks on you. However, you, as an individual borrower and/or you as a person associated with a corporate entity (or its subsidiaries) who is our customer – as relevant, for example, a signatory, director, trustee, >25% shareholder, controller or where you hold Power of Attorney for a customer may have to provide us with an up-to-date credit check before entering into and from time to time during our agreement with you.

Fraud Prevention Agencies

The personal information we have collected from you will be shared with fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity.

If fraud is detected, you could be refused certain services, finance or employment. Further details of how your information will be used by us and these fraud prevention agencies, and your data protection rights, can be obtained from the full privacy notice of the fraud prevention agency that we use.

From our own notice we consider compliance with our legal obligations as the lawful reason under data protection laws for the checks we do at fraud prevention agencies which involve processing your personal information to prevent fraud, money laundering and to verify your identity. In the fraud prevention agencies' notice they also mention the contract with you and legitimate interests as lawful reasons for fraud checks.

Data Retention

The length of time we store your personal information depends on how far your loan progressed and aligns with the Avamore Capital GDPR policy which states the following:

Avamore Capital's data is only stored for the length of time it is relevant to the company and its third parties; the following rules apply:

- **Completed loans:** Personal information will be deleted 6 years after the loan redeems.
- **Pipeline deals:** Personal information will be deleted after 5 years for loans which were in the late stage of the pipeline but did not complete. This accounts for any transaction which entered Underwriting.
- **Pre-pipeline deals:** Personal information will be deleted after 4 years for any loan which had Heads of Terms issued but did not proceed into Underwriting.
- **Early-stage deals:** Personal information will be deleted after 2 years for any deals between Initial Enquiry – Heads of Terms Issued.

CVs

Where you have provided us your CV, unless we subsequently employ you, at which time you will be provided with an appropriate Privacy Notice, we will store your CV and the information contained

therein for 3 years.

This is in case of questions or queries from you about your application and in case suitable other roles come up which might interest you. If you send us your CV, we will keep your details on file for a period of 3 years so that we may contact you in the event that a suitable opportunity at Avamore arises during that time.

If you'd rather we did not retain your details on file, please let us know as soon as possible by contacting us at enquiries@avamorecapital.com. In that case your CV will no longer be used by us to contact you about opportunities and it will be dealt with in accordance with our data retention policy.

Avamore Capital's website

Our website uses cookies to compile aggregate data about site traffic and site interaction so that we can offer better site experiences and tools in the future. We do not share this information with third parties.

We may also collect and use your IP address to help diagnose problems with our server, administer the website or receive broad demographic information about the use of our site. We do not share this information with third parties.

Data Access Rights

You have the right to obtain a copy of the personal information we are processing and to obtain information about how we process it. We will not charge you for providing you with the information but may charge you a reasonable fee for providing any additional copies.

Please contact:

Avamore Capital Ltd
78 Cannon Street, London, EC4N 6HL

Other rights under data protection laws

Here is a list of other rights that all individuals have under data protection laws. They do not apply in all circumstances. If you wish to exercise any of them, we will explain at that time if they apply or not:

- The right to have your personal information corrected if it is inaccurate and to have incomplete personal information completed
- The right to object to processing of your personal information
- The right to restrict processing of your personal information
- The right to have your personal information erased (the **"right to be forgotten"**)
- The right to move, copy or transfer your personal information (**"data portability"**)
- The rights in relation to automated decision making which has a legal effect or otherwise significantly affects you

Please email enquiries@avamorecapital.com or contact the Director of Operations if you wish to exercise any of these rights if and to the extent, they are relevant.

Please note that where the request is received via email, security checks will be conducted prior to release of any information.

How to make a complaint

To make a complaint about how your personal data is used, please contact the Director of Operations as per above.

You also have the right to register your complaint directly with the Information Commissioner's Office (ICO) which regulates the processing of personal data. You can contact the ICO at <https://ico.org.uk/concerns/> or on 0303 123 1113.