

MABS National Development: Data Protection Notice for Users of our Services

Who are we?

We are **MABS National Development CLG**.

Our registered address is Commercial House, Westend Commercial Village, Blanchardstown, Dublin 15.

We are funded by the Citizens Information Board, a State agency, located at Georges Quay House, 43 Townsend Street, Dublin 2.

We support MABS companies in providing advice and services in relation to debt and your financial situation. We also provide advice and services in relation to debt and your financial situation, primarily by telephone through the MABS National Helpline.

This notice sets out the basis on which any personal data we collect from you, or from others, will be processed by us. Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

For the purpose of the Data Protection Acts 1988 and 2003 (as amended) and from 25 May 2018, the General Data Protection Regulation (the GDPR), the data controller is MABS National Development CLG.

Our data protection contact is Michael Higgins: michael_higgins@mabs.ie.

What personal information do we collect from you?

We may collect a range of personal information from you, depending on your circumstances and the services you require. You may give us personal data by:

- Visiting our website.
- Corresponding with us by phone, email or otherwise. We ask you to disclose only as much information as is necessary to provide you with our services or to submit a question, suggestion or comment in relation to our services. We record calls to our Helpline for training and quality purposes.

What information about you do we obtain from others?

When you use our services, we may obtain some personal data from others:

- Information contained in a form submitted on your behalf for Abhaile, the Scheme of Aid and Advice for Borrowers in Home Mortgage Arrears, which facilitates access to professional advisers through a voucher scheme

Why do we collect this information?

We collect the information in order to provide you with our services.

We may use this information:

- To contact you to arrange appointments or to return your calls
- To refer you to a Money Advice and Budgeting Service
- To assess your circumstances and to recommend courses of action
- To engage with third parties in relation to your situation, including public and private organisations
- To assist you to fill in forms relating to public and social services
- To assist you in any steps involved in accessing public or social services
- To assist you in any steps involved in maximising your income
- To provide you with vouchers to facilitate access to professional advisers
- To keep you informed in relation to your case
- To conduct statistical analysis and reporting, for training purposes, for quality review purposes and for social policy purposes

The legal bases for the processing of your data are:

- That you have provided consent for the processing for the provision of our services
- Processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us as the controller
- Processing necessary for compliance with a legal obligation to which we are subject

From time to time, we may also collect sensitive or 'special category' data in the provision of our services. The legal basis for the processing of your special category data is:

- That you have provided consent for the processing for the provision of our services

Who do we share this information with?

We may share your personal data with other Money Advice and Budgeting Service entities, with the Citizens Information Board and with public and private organisations such as creditors, financial institutions or the Insolvency Service of Ireland in order to provide you with our services.

We attach at Schedule 1 an indicative list of entities with whom your personal data may be shared.

We attach at Schedule 2 an additional list of entities with whom your personal data may be shared if you avail of Abhaile, the Scheme of Aid and Advice for Borrowers in Home Mortgage Arrears. MABS National Development is one of the organisations involved in providing this scheme.

In addition, we may disclose your personal information to third parties:

- If there is a risk of serious harm to you or to another person or to property
- If we are under a duty to disclose or share your information in order to comply with any legal obligation
- If we are required to give evidence in court
- To get legal advice or to defend a legal right
- In the event of a disclosure relating to child abuse

How long do we keep hold of your information?

The time periods for which we retain your information depends on the type of information and the purposes for which we use it. We will keep your information for no longer than is required or permitted.

- Where we have advised on or assisted with your financial situation, we will retain your information for two years.
- Where you have availed of Abhaile, the Scheme of Aid and Advice for Borrowers in Home Mortgage Arrears, we will retain your information for three years after the termination of the scheme.

Do we transfer your information outside the European Union or European Economic Area?

Our websites use services provided by Google, including Google Custom Search and Google Analytics. Google may store some information on servers outside the European Union or European Economic Area.

Google is certified under Privacy Shield.

We have set up the Google Analytics service with enhanced privacy so that Google will not retain your full IP address and does not have permission to share data collected.

You can find out more in our website privacy statement.

What are your rights with respect to your personal data?

You have the following rights:

- The right to access the personal data we hold about you.
- The right to require us to rectify any inaccurate personal data about you without undue delay.
- The right to have us erase any personal data we hold about you in circumstances such as where it is no longer necessary for us to hold the personal data or, in some circumstances, if you have withdrawn your consent to the processing.
- The right to object to us processing personal data about you such as processing for profiling or direct marketing.
- The right to ask us to provide your personal data to you in a portable format or, where technically feasible, for us to port that personal data to another provider provided it does not result in a disclosure of personal data relating to other people.
- The right to request a restriction of the processing of your personal data.

Where our processing of your personal data is based on your consent to that processing, you have the right to withdraw that consent at any time but any processing that we have carried out before you withdrew your consent remains lawful.

You may exercise any of the above rights by contacting the data protection contact at any of the contact points listed above.

You may lodge a complaint with your supervisory authority with respect to our processing of your personal data. The supervisory authority in Ireland is the Data Protection Commissioner. The website is www.dataprotection.ie.

What will happen if we change our privacy notice?

This notice may change from time to time, and any changes will be posted on the www.mabs.ie website and will be effective when posted.

This notice was last updated on **12 May 2018**.

How can you contact us?

Our data protection contact can be contacted at any of the contact points listed above.

Schedule 1: General MABS Services

We have set out below a list of third parties with whom we may share your data.

Third party	Description
Any legal successors to MABS National Development	Where MABS National Development transfers its business to another company or merges with another company.
Other Money Advice and Budgeting Service entities	Where we refer your case to another Money Advice and Budgeting Service entity in order to provide services.
Citizens Information Board	<ul style="list-style-type: none"> • In the provision of ICT hardware and software, networks and network storage, case management systems, email, telephony and helpdesk services • In conducting statistical and case analysis for the purposes of reporting, training and social policy • In the investigation of a complaint in accordance with our complaints procedures • In order to provide quality or case reviews
ICT providers	Where ICT services such as case management systems or telephony systems are provided by or maintained by a third party.
Archiving companies	Where we archive our files in facilities provided by a third party.
Shredding companies	Where our files are securely destroyed by a third party.

Depending on your circumstances, and with your authorisation, we may also share your data with other third parties.

Third party	Description
Creditors and financial institutions	We may need to contact your creditors and financial institutions to request information from them about the debts you have and the balances on all accounts held with them. We may also need to give them information about your overall financial situation, including your income and expenditure, your assets, a full list of debts and the outstanding balance on any accounts you have.
Credit Unions	If a MABS Special Account is set up for you in a credit union, MABS staff will see details of all payments into and out of that account in the credit union. Please note that an auditor might include your account when carrying out a routine audit of our accounts.

Public bodies	Where we refer you to a public body or assist you in accessing the services of a public body, for example, the Financial Services and Pensions Ombudsman.
Voluntary organisations	Where we refer you to a voluntary organisation or assist you in accessing the services of a voluntary organisation, for example, Chartered Accountants Voluntary Advice (CAVA).

Schedule 2: Scheme of Aid and Advice for Borrowers in Home Mortgage Arrears

MABS is one of a number of organisations providing the Scheme of Aid and Advice for Borrowers in Home Mortgage Arrears. If you wish to avail of this scheme, your data may be shared with the organisations involved in the scheme and with external advisers in addition to the third parties listed in Schedule 1.

Third party	Description
Citizens Information Board, Legal Aid Board, Insolvency Service of Ireland	Your data will be shared between the organisations providing the Scheme of Aid and Advice for Borrowers in Home Mortgage Arrears to check that you are eligible for free financial and legal advice and aid under the scheme, as well as to measure how effectively the scheme is working to help borrowers using it.
Advisers providing advice as part of the scheme	For advice purposes, more detailed data will be shared between the relevant advisers working with you under the Scheme of Aid and Advice for Borrowers in Home Mortgage Arrears. This will include your Standard Financial Statement or Prescribed Financial Statement and a copy of the written financial advice or legal advice provided to you. The advisers are the MABS adviser, the Personal Insolvency Practitioner (PIP), the consultation solicitor, the duty solicitor and/or the accountant who are providing you with advice and assistance within the scheme. Please note that if you are working with external advisers within the scheme, these advisers may be obliged to retain client files for certain periods of time – for example, a solicitor or PIP is obliged under professional oversight regulations to keep client files securely for a minimum period.