

A Data Protection Guide

**Your personal data and how it may be used
by Erudio Student Loans Limited,
Credit Reference Agencies and
Fraud Prevention Agencies**

What is a credit reference agency?

Credit Reference Agencies (CRAs) collect and maintain information on consumers' and businesses' credit behaviour, on behalf of organisations in the UK.

What is a fraud prevention agency?

Fraud Prevention Agencies (FPAs) collect, maintain and share information on known and suspected fraudulent activity. Some CRAs also act as FPAs.

Why do you use these organisations when I have applied to you for deferment?

If you have applied to Erudio Student Loans for deferment we will check our own records, and we may also contact CRAs to get information on your credit behaviour with other organisations. This will help us make the best possible assessment of your overall situation before we make a decision.

Where do these organisations get the information?

Publicly available information sources include:

- The Electoral Register from Local Authorities
- County Court Judgments (CCJs) from Registry Trust
- Bankruptcy (and other similar orders) from the Insolvency Service

Fraud information may also come from FPAs. Credit information comes from information on applications for products that involve credit to financial services and other organisations (such as banks, building societies, credit card providers, utilities and communications companies) and also from the conduct of those accounts.

How will I know if my information is to be sent to a CRA or FPA?

The 'How to Guide', enclosed with your Deferment Application Form, states that when you apply for deferment, your application data may be sent to a CRA or FPA. It also outlines how we may use CRAs as part of the day to day management of your Erudio Student Loans account(s). The next section of this document will tell you how, when and why we may search at CRAs and FPAs and what we will do with the information we obtain from them. We will also tell you if we plan to send payment history information on you to CRAs. You can ask us at any time the name of CRAs and FPAs that we use.

Why is my data used in this way?

We and other organisations want to make the best possible decisions we can, in order to make sure that we manage your account properly (including making the right decision about your deferment application), and to ensure that we give other lenders a fair and accurate view of how you are managing your repayments - where we are entitled to do so in line with the terms and conditions of your original loan agreement(s). Some organisations may also use the information to check your identity. In this way we can ensure that we all make responsible decisions. By using up to date information, provided electronically, we are able to make the most reliable and fair decisions possible.

Who controls what such agencies are allowed to do with my data?

All organisations that collect and process personal data are regulated by the Data Protection Act 1998, overseen by the Information Commissioner's Office (ICO). Use of the Electoral Register is controlled under the Representation of the People Act 2000.

Can everybody look at my data held at CRAs?

No. Access to your information held at CRAs is strictly controlled and only those that are entitled to do so, may see it. Usually, that will only be with your agreement (for example in the terms and conditions for other loans or (usually) financial products you may apply for) or, very occasionally, if there is a legal requirement.

What Erudio Student Loans does

Please read this section very carefully - it will vary from lender to lender.

1) What we will do with the information you supply to us as part of your deferment application:

- a. Information that is supplied to us may be sent to CRAs – this will only be the relevant parts of your application.
- b. If you give us false or inaccurate information, which we suspect or identify to be fraudulent, it will be recorded and may be passed to FPAs and other organisations involved in crime and fraud prevention.

2) What we may do with the information that we obtain from your deferment application:

- a. Assess your application for deferment.
- b. Check details on applications you have made for credit and credit-related or other facilities with other lenders.
- c. Verify your identity.
- d. Undertake checks for the prevention and detection of crime, fraud and/or money laundering.
- e. We may use scoring methods to assess your application and to verify your identity.
- f. Manage your Erudio Student Loan account(s).
- g. Undertake periodic statistical analysis or testing to ensure the accuracy of existing and future products and services.
- h. We may pass your personal data onto the agencies that provide services to us i.e. debt collection agencies, solicitors and tracing agents. These agencies are obliged to keep your details securely and use them only to fulfil instructions provided by us.
- i. Any or all of these processes may be automated.

3) How we will use CRAs and FPAs to manage your account:

- a. In line with the terms and conditions of your original loan agreement(s) we will give details of your Erudio Student Loans account(s), including your names and how you manage it/them to CRAs on a monthly basis, in the following circumstances:
 - For loan agreements signed before or during 1997, we have permission to report details of the loan to CRAs every month, including if you are in deferment.
 - For loan agreements signed during 1998 and onwards;
 - We have permission to report details of the loan to CRAs every month, but only if the loan is in arrears or defaulted; or
 - You have specifically agreed for us to report details of the loan to CRAs, in writing, separately to the Deferment Application Form.
- b. We may make periodic searches of our own group records and at CRAs to manage your account with us. We may also check at FPAs to prevent or detect fraud.
- c. If you do not make repayments when they are due, we may use CRA data to identify your whereabouts and we will work with you to manage repayment of any debts that you owe.

What Credit Reference and Fraud Prevention Agencies do

4) When CRAs receive a search from us they will:

- a. Place a search 'footprint' on your credit file whether or not your deferment application proceeds. Erudio Student Loans has agreed that deferment applications will be treated as a special case. Your application will be treated as a credit application by us, however, the resulting footprint that we leave on your credit file will not be shared with other lenders (as would normally happen when a credit application is received). This means that the footprint will not affect your credit scores or ability to obtain credit from other lenders.

5) CRAs will also supply to us:

- a. Credit information such as previous applications and the conduct of the accounts in your name.
- b. Public information such as CCJs and bankruptcies.
- c. Electoral Register information.
- d. Fraud prevention information.

6) When information is supplied by us to CRAs about your account(s), CRAs will:

- a. Record the details that are supplied on your personal account, including any previous and subsequent names that have been used by you and how you manage your account(s).
- b. Record the status and outstanding balance of your account, including whether you are up to date with repayments.
- c. Records shared with CRAs remain on file for 6 years after they are closed, whether settled by you or defaulted.

7) CRAs will not use your data to:

- a. Create a blacklist.
- b. Make a decision about whether to give or continue to give credit to you. Those decisions are made by the lenders themselves, not the CRAs.

8) The information we provide to CRAs about you may be supplied by CRAs to other organisations and used by them to:

- a. Prevent crime, fraud and money laundering by, for example, checking details provided on applications for credit and credit-related or other facilities by you or your financial associate¹.
- b. Make decisions on credit and credit-related services about you, your financial associate, other members of your household or your business. Student loans owned by Erudio Student Loans are not joint accounts, so we do not supply information that will create a financial association.
- c. Check the operation of credit and credit-related accounts.
- d. Verify your identity if you or your financial associate applies for other facilities.

¹ A financial associate will be someone with whom you have a personal relationship that creates a joint financial unit in a similar way to a married couple. Financial associations are created when you apply for, or have, financial arrangements with another person and you are living at the same address at the time. It is not intended to include temporary arrangements such as students or rented flat sharers or business relationships.

- e. Manage your personal, your financial associate's and/or business (if you have one) credit or credit-related account or other facilities.
- f. Trace your whereabouts and recover debts that you owe.
- g. Undertake statistical analysis and system testing.

9) The information we provide to FPAs about you may be supplied by FPAs to other organisations and used by them and us to:

- a. Prevent crime, fraud and money laundering by, for example:
 - i. Checking details provided on applications for credit and credit-related or other facilities.
 - ii. Managing credit and credit-related accounts or facilities.
 - iii. Cross checking details provided on proposals and claims for all types of insurance.
 - iv. Checking details on applications for jobs or when checked as part of employment.
- b. Verify your identity if you or your financial associate applies for other facilities including all types of insurance proposals and claims.
- c. Identify your whereabouts and recover debts that you owe.
- d. Conduct other checks to prevent or detect fraud.
- e. Undertake statistical analysis and system testing.

10) We and other organisations may access and use from other countries the information recorded by FPAs. The destination jurisdictions from which your information may be transferred will have different data protection laws to those in the United Kingdom.

11) Your data may also be used for other purposes for which you give your specific permission or, in very limited circumstances, when required by law or where permitted under the terms of the Data Protection Act 1998.

12) Your data will not be used to offer you other products. The Loans Act prohibits us from disclosing information about you to anyone else for use for soliciting custom for goods or services, and we agree that we will not give or show confidential information about you to anyone else for marketing purposes.

13) If we share your account information with CRAs, it will normally remain on the CRAs' files for six years after your account is closed (whether you have paid the balance due or if your account is defaulted).

How to find out more

For further information, please write to us at Erudio Student Loans Ltd, PO Box 1055, Camberley, GU15 9PA. You can also contact the CRAs currently operating in the UK; the information they hold may not be the same so it is worth contacting them all. They will charge you a small statutory fee.

- CallCredit, Consumer Services Team, PO Box 491, Leeds, LS3 1WZ or log on to www.callcredit.co.uk/consumer-solutions
- Equifax PLC, Credit File Advice Centre, PO Box 3001, Bradford, BD1 5US or log on to www.myequifax.co.uk
- Experian, CreditExpert, PO Box 7710, Nottingham, NG80 7WE or call 0844 481 8000 or log on to www.experian.co.uk