

DATA PRIVACY NOTICE

Who are we?

We are:

Money Advice and Budgeting Service. Our registered address is:

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

MABS, the Money Advice and Budgeting Service, is the State's only free money and debt advice service.

This notice sets out the basis on which any personal data (information) we collect from you, or from others, will be processed (or handled) 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 to 2018, and from 25 May 2018, the General Data Protection Regulation (EU) 2016/679 (the GDPR), the data controller is:

Money Advice and Budgeting Service.

Our data protection contact is the Money Advice Coordinator or Regional Manager:

What personal information (data) 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:

- Communicating with us by phone, email, text, instant messaging, social media and/or any other form of written or audio communication. We ask you to disclose only as much information as we need in order to provide you with our services or to submit a question, a suggestion or a comment in relation to our services.
- Attending meetings with us. These meetings might include you providing personal data to us, or you completing form(s) that we need in order to provide services to you.
- Attending an office where CCTV (Closed Circuit Television) is in operation.

What information about you do we obtain from others?

When you use our services, we may obtain, with your authorisation, records relating to your situation, such as records held by your creditors or financial institutions.

The records that we may obtain will vary depending on your circumstances and the third parties involved. To obtain this information, we may use a variety of methods such as data subject access requests, Freedom of Information requests and a copy of your client authorisation form.

Why do we collect this information?

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

We may use this information to:

- Contact you to arrange appointments
- Assess your circumstances and to recommend courses of action
- Engage with third parties in relation to your situation, including public and private organisations
- Assist you to fill in forms relating to public and social services
- Assist you in any steps involved in accessing public or social services
- Assist you in any steps involved in maximising your income
- Keep you informed about your case
- Conduct statistical analysis and reporting, for training purposes, for quality review purposes and for social policy purposes

Legal basis

We will only process your data where we are legally entitled to do so. The legal basis for the processing of your data is:

- That you have given your consent to the data processing for the provision of our services
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of the official authority vested in us as the data controller
- Processing is necessary for us to comply 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 Services, MABS National Development and the Citizens Information Board. We may also share your personal data with public and private organisations such as creditors, financial institutions or the Insolvency Service of Ireland (ISI) in order to provide you with our services.

We attach in Schedule 1: A list of entities that we may share your personal data with.

We attach in Schedule 2: An additional list of organisations we may share your personal data with, if you avail of MABS' Approved Intermediary Service, which helps you to access an insolvency solution called a Debt Relief Notice (DRN).

We attach in Schedule 3: An additional list of organisations we may share your personal data with, if you avail of the Scheme of Aid and Advice for Borrowers in Home Mortgage Arrears (The Abhaile Scheme). MABS is one of the organisations involved in providing this scheme.

In addition, we may disclose your personal information to other third parties where we have an obligation to do so. For example, we may do this:

- 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?

How long we keep your information is dependent on the type of information and the purposes for which it is required. We will retain your information for no longer than it is required or permitted as follows:

- Where we have advised on or assisted with your financial situation, we will retain your information for **two years**, from the date your file is closed.
- Where you have availed of The Abhaile Scheme, we

will retain your information for **three years** after the termination of the scheme.

- Where we have arranged payments to or facilities with your creditors (e.g. through a MABS Special Account), we will retain your information for **six years**, from the date your file is closed.
- Where you have availed of the Approved Intermediary Service, we will retain your information for **12 months**, from the date your file is closed.

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

No.

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 request that we erase any personal data we hold about you in circumstances where, for example, it is no longer necessary for us to hold the personal data or, in some circumstances, where 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 transfer that personal data to another provider as long as 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 Money Advice Coordinator or Regional Manager at the contact point on page 1 of this notice.

You may lodge a complaint with the Data Protection Commissioner with respect to our processing of your personal data. The Office of the Data Protection Commissioner 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 at www.mabs.ie and will be effective when posted.

This notice was last updated on **24th May 2018**.

How can you contact us?

The details for our data protection contacts are on page 1 of this notice.

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 the MABS company	Where the Money Advice and Budgeting Service (MABS) company transfers its business to another company or merges with another company.
Other MABS entities	Where we refer your case to another MABS entity to provide services, or where case support or case review from another MABS company is required. Examples include where your case is sent to a Dedicated Mortgage Arrears Adviser or a Relief Money Adviser who may work in a different MABS entity.
MABS National Development	<ul style="list-style-type: none"> In the provision of case management systems In the provision of technical advice and case support In conducting statistical and case analysis for the purposes of reporting, training, review and social policy
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
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, their agents, other connected third parties as agreed and financial institutions to request information from them about the debts you have and the balances on all accounts you hold 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, such as 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, such as the Chartered Accountants Voluntary Advice (CAVA).

Schedule 2: Approved Intermediary Service

MABS provides an Approved Intermediary Service which facilitates eligible clients to apply for an insolvency solution called a Debt Relief Notice (DRN). If you wish to avail of the Approved Intermediary Service, MABS will share your data with third parties in addition to the third parties listed in Schedule 1.

THIRD PARTY	DESCRIPTION
Insolvency Service of Ireland (ISI)	If you wish to avail of the Approved Intermediary Service, MABS will share your data with the Insolvency Service of Ireland (ISI) as part of the application process and will send your file to the ISI if your application is successful.

Schedule 3: Scheme of Aid and Advice for Borrowers in Home Mortgage Arrears (The Abhaile Scheme)

MABS is one of a number of organisations providing The Abhaile Scheme. If you wish to avail of this scheme, your data may be shared with the organisations involved in the scheme and with external advisers identified below, in addition to third parties listed in Schedule 1.

THIRD PARTY	DESCRIPTION
MABS National Development, 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. It will be used to check that you are eligible for free financial and legal advice and aid under the scheme, and 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).