

## Privacy Notice – Evolve Servicing Limited

### 1. About this notice

- 1.1 This notice explains how and why Evolve Servicing Limited (also referred to as “**Evolve**”, “**we**”, “**our**” and “**us**”) use your personal data in connection with the work we do in Evolve, including individual cases relating to the management and administration of insolvent accounts for our clients.
- 1.2 In this notice, when we talk about “**personal data**” we mean any information that relates to an identifiable natural person – in this case, you.
- 1.3 You should read this notice if you are dealing with Evolve in relation to the management and administration of insolvent accounts for example if you are a customer, Trustee or Supervisor of the insolvency, a solicitor or financial advisor acting on a customer’s behalf. You should also read any other privacy notices that we give you, which apply to our use of your personal data in specific circumstances from time to time.
- 1.4 Alternatively, if you are a client, supplier or someone else dealing with Evolve, please visit the Privacy Notice page on our website at [www.evolvedservicing.com](http://www.evolvedservicing.com) for information about how we process personal data.
- 1.5 Evolve is a “controller” in relation to its use of your personal data. This is a legal term – it means that we make decisions about how and why we use your personal data and, because of this, we are responsible for making sure it is used in accordance with applicable data protection laws. We are required by law to give you the information in this notice. You should read this notice, so you know what personal data we collect about you, what we do with it and how you can exercise your rights in connection with it.
- 1.6 If you have any questions about this notice, please contact the Customer Support team at Evolve Servicing Limited, Bridgewater Place, Water Lane, Leeds, LS11 5BZ or [customersupport@evolvedservicing.com](mailto:customersupport@evolvedservicing.com).

### 2. What types of personal data do we collect and where do we get it from?

- 2.1 For the purposes of this notice, the personal data we process about you broadly falls into three main categories: (i) Contact Information; (ii) Identity and Other Regulatory Information; and (iii) Account Information.
- 2.2 The table below sets out the different types of personal data that we collect and the sources we collect it from.

Category	Type of personal data	Collected from
<b>Contact Information</b>	<ul style="list-style-type: none"><li>Name(s)</li><li>Address (including previous addresses)</li><li>Telephone numbers</li><li>Email addresses</li></ul>	<ul style="list-style-type: none"><li>You, our clients, your professional advisor(s) and/or third party data sources such as credit reference agencies who provide address information where we hold no current address or have incomplete address information</li></ul>
<b>Identity and Regulatory Information</b>	<ul style="list-style-type: none"><li>Date of birth</li></ul>	<ul style="list-style-type: none"><li>You, our clients, your professional advisor(s) and/or third party data sources</li></ul>

<p><b>Account Information</b> Details relating to our work in relation to the management and administration of insolvent accounts, including account related communications with you</p>	<ul style="list-style-type: none"> <li>• Name(s)</li> <li>• Date of birth</li> <li>• Address and contact details</li> <li>• Income &amp; expenditure</li> <li>• Employment status</li> <li>• Vulnerable data eg health information</li> <li>• Details of your Insolvency Provider</li> <li>• Financial details including details of your insolvency account (including account type, account number, start date and closure date for your account, account status, asset &amp; value details and balance outstanding)</li> <li>• Transactional history</li> <li>• Default date</li> <li>• Call recordings</li> <li>• Details of the original lender</li> </ul>	<ul style="list-style-type: none"> <li>• You, our clients, your professional advisor(s) and/or third party data sources (eg Insolvency Registers) and to whom you provide information such as a member of your family where you have given them authority to act</li> </ul>
<p><b>Credit Reference Agency Report Information</b> Information we required to send to the Credit Reference Agencies to enable them to update your credit file</p>	<ul style="list-style-type: none"> <li>• Name(s)</li> <li>• Date of birth</li> <li>• Address and contact details</li> <li>• Financial details including details of your insolvency account (including account type, account number, start date and close date for your account, account status and balance outstanding)</li> <li>• Transactional history</li> <li>• Default date</li> <li>• Special instruction indicator (which is a note applied where a record is to be deleted or your address is to be changed)</li> <li>• Flag settings (which flag whether you have left an address, deceased or partially settled your account)</li> </ul>	<ul style="list-style-type: none"> <li>• You, our clients, your professional advisor(s) and/or third party data sources (eg Insolvency Registers) and to whom you provide information such as a member of your family where you have given them authority to act</li> </ul>
<p><b>Credit Reference Agency (“CRA”) Dispute Related Information</b> Information we receive when there is a notification of a dispute raised to the CRA by you or directly to us with information relating to you where your insolvency account appears to contain incomplete or inaccurate data</p>	<ul style="list-style-type: none"> <li>• Name(s) and alias</li> <li>• Date of birth</li> <li>• Address and contact details (including address links where it appears you have moved house)</li> <li>• Financial details, including details of your insolvency account, including court judgments that have been issued against you</li> <li>• Bankruptcies, Individual Voluntary Arrangement (IVAs), debt relief orders and similar events relating to you</li> <li>• Fraud prevention indicators</li> <li>• “gone away indicators” (which indicate whether you have left an address, deceased or partially settled your account)</li> <li>• Credit scores and ratings</li> <li>• Financial associations to which you are linked</li> <li>• Flags and triggers, for example where you may be flagged as subject to fraud, and indicators of the certainty of the information they provide</li> <li>• Insolvency and repayment history, including details of your Insolvency Practitioner and whether or not your insolvency is active</li> </ul>	<ul style="list-style-type: none"> <li>• You, our clients and CRAs</li> </ul>
<p><b>Financial Statements</b> Statements of account issued to you advising you of the account balance and payments made</p>	<ul style="list-style-type: none"> <li>• Name(s)</li> <li>• Date of birth</li> <li>• Address and contact details</li> <li>• Financial details including details of your insolvency account (including account type, and balance outstanding)</li> <li>• Transactional history</li> <li>• Details of the original lender</li> </ul>	<ul style="list-style-type: none"> <li>• You, our clients, your professional advisor(s) and/or third party data sources (eg Insolvency Registers) and to whom you provide information such as a member of your family where you have given them authority to act</li> </ul>

### 3. What do we do with your personal data, and why?

3.1 We use your personal data for a number of different purposes. We must always have a “lawful basis” (ie a reason, prescribed by law) for processing your personal data. The table below sets out the purposes for which we may process the different categories of your personal data and the corresponding lawful basis for that processing. For some processing activities, we consider that more than one lawful basis may be relevant – depending on the circumstances.

Purposes of processing	Lawful basis		
	Your consent	To comply with a legal obligation	For our legitimate interests
<b>Matter Related Purposes</b>			
a) Responding to your enquiries			✓ (It's important that we can respond to your enquiries)
b) Performing identity verification checks (including against third party sources)		✓	✓ (We need to verify your identity to correctly administer the collection of payments from insolvent accounts on behalf of our clients)
c) Carrying out matter-related tasks, such as issuing letters and communicating with Insolvency Practitioner (Trustees in Bankruptcy, if applicable) regarding borrower accounts, checking whether or not accounts have been closed on public insolvency registers and administering the recovery of any amounts payable in connection with your account(s)		✓	✓ (We have an interest in performing these tasks in connection with our client's service)
d) Complying with our regulatory obligations in relation to identifying and recording specific vulnerable situations affecting you	✓		✓ (We have a legitimate interest in making sure that we take your individual circumstances into account)
e) Conducting research and statistical analysis in respect of your account(s) and any other account(s) owned or subsequently acquired by our clients for the purposes of (i) assessing the value of portfolios of accounts acquired; (ii) analysing the performance of portfolios of accounts; and (iii) analysing the performance of your account (and, where possible and appropriate for the nature of the research, anonymising your data so that it does not personally identify you)			✓ (We need to do this generate statistics for our (and our clients') internal and external use (including the sharing of aggregated statistical data with the Financial Conduct Authority))
f) To supply the CRAs with updates to your account in order that your credit file will reflect the true status of your account. In addition, we will receive information from the CRAs to review and update your insolvency details where it appears to contain incomplete or inaccurate data. On request, the CRAs will also provide address information where we have no current address (or incomplete address information) to allow us to send correspondence to you			✓ (We have an interest in performing these tasks when instructed by clients to ensure your credit file is updated)
g) Complying with instructions from our clients to produce and send to you financial statements in relation to their regulatory obligations		✓	✓ (We have an interest in performing these tasks in connection with our client's service)
<b>Legal and Regulatory Compliance and Reporting</b>			
h) Monitoring our systems and processes to identify, record and prevent fraudulent, criminal and/or otherwise illegal activity		✓	✓ (We need to be able to monitor our systems in this way to help protect them, us and you from illegal activity)
i) Complying with instructions, orders and requests from law enforcement agencies, any court or otherwise as required by law		✓	
j) Complying with our general regulatory and statutory obligations (including our responsibilities under codes of conduct and anti-bribery laws)		✓	
k) Purchasing, maintaining and claiming against our insurance policies		✓	✓ (It's in our interests to protect our business against specified losses)

Purposes of processing	Lawful basis		
	Your consent	To comply with a legal obligation	For our legitimate interests
l) Training our staff		✓	✓ (Sometimes, it's appropriate for us to use your personal data so that we can provide our staff with training to manage risk and improve the quality of our services)
m) Complying with instructions from our clients in relation to their regulatory obligations (including recording our telephone communications with you)			✓ (We need to record calls to our team to assist with our clients' regulatory obligations, and for training and monitoring purposes)
<b>General Business Requirements</b>			
n) Obtaining legal advice and establishing, defending and enforcing our legal rights and obligations in connection with, any legal proceedings (including prospective legal proceedings)			✓ (We must be able to establish and defend our legal rights and understand our obligations, and seek legal advice in connection with them)
o) Managing the proposed sale, restructuring, transfer or merging of any or all part(s) of our business, including to respond to queries from the prospective buyer or merging organisation		✓	✓ (We have a legitimate interest in being able to sell any part of our business)
p) Resolving any complaints from or disputes with you			✓ (We need to be able to try and resolve any complaint or dispute you might raise with us)
q) Continuously reviewing and improve our products and services and developing new ones			✓ (We have a legitimate interest in making sure that we are continuously improving our service offering)
r) Monitoring and producing statistical information regarding the use of our platforms, and analysing and improving their functionality			✓ (We need to perform this limited routine monitoring to make sure our platforms work properly)
s) Maintaining the security and integrity of our systems, platforms, premises and communications (and detecting and preventing actual or potential threats to the same)			✓ (We need to make sure our that our business processes are secure)

3.3 In limited circumstances, we may also process certain **special categories of personal data** (such as information regarding your health), which require a higher standard of protection under applicable laws. For these special categories of personal data, different lawful bases apply. We only process this type of information about you where it is necessary for the establishment, exercise or defence of a legal claim against us or where it is necessary for reasons of substantial public interest. We also have policies in place explaining our procedures for ensuring compliance with applicable laws in connection with the processing of special categories of personal data.

#### 4. Credit Reference Agencies

4.1 Where we are required, in order to enable CRAs to update your credit report, we will share the CRA Report Information with them from the point that our client acquires your account for the period that your account remains eligible for credit reporting. The CRAs can also share your CRA Report Information with other organisations.

4.2 On request, CRAs will provide us with information relating to you where your insolvency account appears to contain incomplete or inaccurate address details. We will use this information to update those details on your account and ensure that our records are accurate.

- 4.3 CRAs will provide us with your Credit Reference Agency Dispute Related Information (as set out in paragraph 2 above) where there is a notification of a dispute raised to the CRA by you; with information relating to you where your insolvency account appears to contain incomplete or inaccurate data.
- 4.4 More information about CRAs and how they use personal data is available at the following links:
- 4.4.1 For Experian: [www.experian.co.uk/crain](http://www.experian.co.uk/crain)
  - 4.4.2 For Equifax: [www.equifax.co.uk/crain](http://www.equifax.co.uk/crain)
  - 4.4.3 For TransUnion (previously known as Callcredit): [www.transunion.co.uk/crain](http://www.transunion.co.uk/crain)

## 5. **Who do we share your personal data with, and why?**

- 5.1 Sometimes we share your personal data with third parties where permitted by law, including the following:
- 5.1.1 our parent company, Aryza, and other companies in or branches or offices of the Aryza network of firms where necessary in connection with our business strategy and where necessary for us to provide you or our clients with services;
  - 5.1.2 our clients, barristers, law firms and courts, service providers like tracing agents, document servers and postage and packing suppliers and the courts, as applicable in the context of the services we provide to our clients;
  - 5.1.3 courts and other judicial or official bodies, where we are asked to respond to a court order or other binding requests;
  - 5.1.4 credit reference agencies;
  - 5.1.5 regulatory bodies and law enforcement agencies, where necessary for any investigations or to respond to enquiries in relation to our compliance with applicable law or regulations; or in connection with criminal investigations, or where otherwise permitted or required by applicable law; and
  - 5.1.6 our professional advisors (such as third party law firms and accountants) and other third parties in connections with our legitimate business activities.

These organisations will also use your personal data as a “controller” – and if so, they should have their own privacy notices which you should read, and they have their own responsibilities to comply with applicable data protection laws.

- 5.2 We also ask third party service providers to carry out certain business functions for us. These include IT support, cloud platform and data hosting providers who help us with the operation of our websites, mobile applications, data rooms, document and workflow management systems and other systems and applications. We will have in place an agreement with our service providers which will restrict how they are able to process your personal data and impose appropriate security standards on them.

## 6. **Where is your personal data transferred to?**

- 6.1 We will sometimes need to transfer your personal data outside the European Union. Some of these jurisdictions may not provide the same level of protection as provided in the UK. We will only make transfers where permitted by applicable law or where:
- 6.1.1 the recipient country ensures an adequate level of protection for your personal data;
  - 6.1.2 the recipient or recipient country is subject to an approved certification mechanism or code of conduct with binding and enforceable commitments which amount to appropriate safeguards for your personal data – this includes for example, the EU-US Privacy Shield which enables the secure transfer of personal data to the United States;
  - 6.1.3 we have put in place appropriate safeguards to protect your personal data, such as a contract with the person or entity receiving your personal data which incorporates specific provisions as directed by the European Commission;
  - 6.1.4 the transfer is permitted by applicable laws; or
  - 6.1.5 you explicitly consent to the transfer.

If you would like to see a copy of any relevant provisions, please contact [customersupport@evolveservicing.com](mailto:customersupport@evolveservicing.com) or write to us at Evolve Servicing Limited, Bridgewater Place, Water Lane, Leeds, LS11 5BZ.

7. **How do we keep your personal data secure?**

- 7.1 We will put in place appropriate security measures to protect your personal data from unlawful or unauthorised processing and accidental loss, destruction or damage.
- 7.2 However please note that, in relation to any personal data you submit to us online, we cannot always guarantee the security of data sent to us in this way. Transmission of data over the internet is at your own risk. You are responsible for keeping any passwords you use to access Evolve platforms safe.

8. **How long do we keep your personal data for?**

- 8.1 We will only retain your personal data for a limited period of time, and for no longer than is necessary for the purposes for which we are processing it for. This will depend on a number of factors, including:
- 8.1.1 any laws or regulations that we are required to follow;
  - 8.1.2 whether we are in a legal or other type of dispute with each other or any third party;
  - 8.1.3 the type of information that we hold about you; and
  - 8.1.4 whether we are asked by you or a regulatory authority to keep your personal data for a valid reason.

9. **What are your privacy rights and how can you exercise them?**

- 9.1 Where our processing of your personal data is based on your **consent**, you have the right to withdraw your consent at any time. If you do decide to withdraw your consent we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on – in which case, we will let you know.
- 9.2 Where our processing of your personal data is based on the **legitimate interests** (see table at **paragraph 3** above), you can object to this processing at any time. If you do this, we will need to show either a compelling reason why our processing should continue, which overrides your interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.
- 9.3 Depending on the circumstances, you may have the right to:
- 9.3.1 access your personal data and to be provided with certain information in relation to it, such as the purpose for which it is processed, the recipients or categories of recipient to whom it is disclosed and the period for which it will be stored;
  - 9.3.2 require us to correct any inaccuracies in your personal data without undue delay;
  - 9.3.3 require us to erase your personal data;
  - 9.3.4 require us to restrict processing of your personal data;
  - 9.3.5 receive the personal data which you have provided to us, in a machine readable format, where we are processing it on the basis of your consent or because it is necessary for your contract with us and where the processing is automated; and
  - 9.3.6 object to a decision that we make which is based solely on automated processing of your personal data. There are some limits and exceptions to this right.

Please contact [customersupport@evolveservicing.com](mailto:customersupport@evolveservicing.com) or write to us at Evolve Servicing Limited, Bridgewater Place, Water Lane, Leeds, LS11 5BZ if you would like to exercise any of your privacy rights. We also encourage you to let us know if you have any concern about how we are processing your personal data so we can try to resolve your concerns. However, if you consider that we are in breach of our obligations under data protection laws, you are always entitled to submit a complaint with the Information Commissioner's Office.