

### Data Protection Notice – Effective August 2024

As a result of the transfer of your account, Max Recovery Limited has obtained your personal details from your original creditor and will act as controller for the purposes of data protection legislation. Max Recovery Limited will also collect your personal data from the Individual Insolvency Register (England and Wales) and/or the AIB Register of Insolvencies (Scotland), as applicable to verify the details of your insolvency account, which are publicly accessible sources. A copy of this notice is available on our website at [www.maxrecovery.com/pages/maxrecovery/uk](http://www.maxrecovery.com/pages/maxrecovery/uk)

#### 1. Categories of personal data

The categories of personal data obtained from your original creditor include your:

- name;
- date of birth;
- address and contact details (including phone number); and
- details of your insolvency account, such as the amounts outstanding, payments made and current balance.

The categories of personal data obtained from the publicly accessible Individual Insolvency Register (England and Wales) and/or the AIB Register of Insolvencies (Scotland), as appropriate, include your:

- name;
- address and contact details; and
- insolvency history, details of your Insolvency Practitioner and whether or not your insolvency is active.

In the event that you contact us, Max Recovery Limited will also collect personal data directly from you or in connection with the management of your account, including your:

- name;
- address and contact details;
- financial details including details of your insolvency account;
- your bank details, insolvency account reference number, address, Insolvency Practitioner name and payment amounts in connection with any payments that you make to Max Recovery Limited;
- repayment history; and
- any other information that you voluntarily provide to Max Recovery Limited and/or its agents.

Max Recovery Limited will process your personal data concerning all accounts relating to you purchased by it and/or additional information about you as contained in Max Recovery Limited's own records, including records of communications between you and Max Recovery Limited and your account histories.

#### 2. Purposes of personal data processing

Max Recovery Limited will use this personal data for the purposes of:

- issuing letters to you regarding your account(s);
- validating the accuracy of personal data that we hold and obtain from third parties;
- checking whether or not your account has been closed on public insolvency registers;
- communicating with your Insolvency Practitioner (or your Trustee in Bankruptcy, if applicable) about your account(s);
- administering the recovery of any amounts payable in connection with your account(s);
- screening your personal details against publicly available government and/or law enforcement agency sanctions lists;
- conducting research and statistical analysis in respect of your account(s) and any other account(s) owned or subsequently acquired by Max Recovery Limited for the purposes of (i) assessing the value of portfolios of accounts acquired by Max Recovery Limited; (ii) analysing the performance of portfolios of accounts acquired by Max Recovery Limited; and (iii) analysing the performance of your account (and, where possible and appropriate for the nature of the research, Max Recovery Limited will anonymise your data so that it does not personally identify you);
- reviewing and updating your credit report;
- obtaining legal and other professional advice; and
- establishing, exercising or defending legal rights.

#### 3. Legal basis for personal data processing

The processing of your personal data by Max Recovery Limited for the purposes set out above is pursuant to the following legitimate interests:

- the collection of payments from insolvency accounts that Max Recovery Limited purchases from its clients in connection with its business;
- the analysis of certain information for the purpose of generating statistics for Max Recovery Limited's internal and external use (which includes the sharing of aggregated statistical data with the Financial Conduct Authority);
- for compliance with good practice and/or any associations and/or voluntary codes that Max Recovery Limited decides to adopt;

- in connection with, any legal proceedings (including prospective legal proceedings), for obtaining legal advice or for establishing, exercising or defending legal rights;
- in the event that it sells or is considering selling any part(s) of its business and/or assets, for the purposes of (i) deciding whether or not to sell, and determining a value for, any part(s) of its business and/or assets; (ii) enabling potential purchasers to complete due diligence on, and value, the business and/or assets; and (iii) transferring the personal data in connection with any relevant sale;
- to enable JPMorgan Chase Bank N.A. to undertake analytics on the performance of Max Recovery Limited's portfolios of accounts and share these results with Max Recovery Limited; and
- to enable JPMorgan Services India Pvt Ltd to administer payments on behalf of Max Recovery Limited in connection with your account(s).
- in connection with other organisations with whom you have previously had a relationship and from whom Max Recovery Limited have purchased debts. For example, these other organisations may reach out to you about the debt you previously had with them before it was transferred to Max Recovery.

Max Recovery Limited will also process your personal data as necessary to comply with any legal obligations to which Max Recovery Limited is subject.

#### **4. Sharing personal data with third parties**

##### **4.1 Corporate Group**

Max Recovery Limited will share your personal details with:

- JPMorgan Chase Bank N.A. in the United States of America to undertake analytics on the performance of Max Recovery Limited's portfolios of accounts and share these results with Max Recovery Limited;
- JPMorgan Services India Pvt Ltd in India to administer payments on behalf of Max Recovery Limited in connection with your account(s).

These companies within Max Recovery Limited's corporate group are not designated by the European Commission as providing an adequate level of protection for personal data. As such, Max Recovery Limited has implemented binding corporate rules to safeguard your personal data in respect of these transfers. You can obtain a copy of Max Recovery Limited's binding corporate rules at <https://www.jpmorgan.com/global/privacy>.

Max Recovery Limited will also share your personal data with its professional advisors, auditors, service providers, regulators, governmental and law enforcement agencies.

##### **4.2 Sale of Business or Assets**

In the event that it sells any part(s) of its business and/or assets, Max Recovery Limited will also disclose your personal data to actual or potential purchasers of parts of its business or assets, and their respective advisers and insurers for the potential purchaser's legitimate interests of:

- enabling potential purchasers to complete due diligence on, and value, the business and/or assets;
- transferring the personal data in connection with any relevant sale and the transfer of Max Recovery Limited's contractual rights and/or obligations; and
- the use of such personal data by a purchaser for the operation of its business.

##### **4.3 Legal or Regulatory**

Max Recovery Limited will disclose your personal data to third parties if it is under a duty to disclose or share your personal data in order to comply with any laws, regulations or good governance obligations, or in order to enforce or to protect its rights, property or safety, or that of its customers or other persons with whom it has a business relationship.

Max Recovery Limited may need to disclose your personal data to other organisations with whom you have previously had a relationship and from whom Max Recovery Limited have purchased debts. We may do this, for example so that these other organisations may reach out to you about the debt you previously had with them before it was transferred to Max Recovery, where it is in your best interests to do so and in the legitimate interests of Max Recovery.

##### **4.4 Credit Reference Agencies**

In order to enable credit reference agencies ("CRAs") to update your credit report, your personal data will be shared with CRAs from the point that Max Recovery Limited acquires your account for the period that your account remains eligible to credit report. The personal data that will be shared with CRAs includes your:

- name;
- date of birth;
- address and contact details;
- financial details including details of your insolvency account (including account type, start date and close date for your account, account type, account status and balance outstanding);
- insolvency and repayment history;
- our case identification reference;
- special instruction indicator (which is a note applied where a record is to be deleted or your address is

- to be changed);
- flag settings (which flag whether you have left an address, deceased or partially settled your account); and
- details of your Insolvency Practitioner and whether or not your insolvency is active.

The CRAs can also share your information with other organisations. CRAs will provide (i) Max Recovery Limited with information relating to you where there is a notification of a dispute raised to the CRA by you; and (ii) Max Recovery Limited and its service providers and agents (including Evolve Servicing Limited) with information relating to you where your insolvency account appears to contain incomplete or inaccurate address details, such as your:

- name and alias;
- date of birth;
- address and contact details (including address links where it appears you have moved house);
- financial details including details of your insolvency account;
- court judgments that have been issued against you;
- bankruptcies, Individual Voluntary Arrangement (IVAs), debt relief orders and similar events relating to you;
- fraud prevention indicators;
- "gone away indicators" (which indicate whether you have left an address, deceased or partially settled your account);
- credit scores and ratings;
- financial associations to which you are linked;
- flags and triggers, for example where you may be flagged as subject to fraud, and indicators of the certainty of the information they provide;
- insolvency and repayment history; and
- details of your Insolvency Practitioner and whether or not your insolvency is active.

Max Recovery Limited will use information where there is a notification of a dispute raised to the CRA by you to seek to resolve any disputes relating to your credit report and insolvency account(s).

Max Recovery Limited and its service providers and agents (including Evolve Servicing) will use information where your insolvency account appears to contain incomplete or inaccurate address details to update those details on your account and ensure that our records are accurate.

More information about CRAs and how they use personal data is available at the following links:

- For Experian: [www.experian.co.uk/crain](http://www.experian.co.uk/crain)
- For Equifax: [www.equifax.co.uk/crain](http://www.equifax.co.uk/crain)
- For TransUnion (previously known as Callcredit): [www.transunion.co.uk/crain](http://www.transunion.co.uk/crain)

## 5. **Retention of personal data**

Max Recovery Limited will retain your personal data for the period during which your accounts are outstanding and thereafter until the expiry of a period of (i) 11 years of no account activity in respect of bankruptcy assets; and (ii) 7 years of no account activity in respect of other accounts. Where Max Recovery Limited is required to hold personal data for audit trail requirements related to destroyed or purged data, such records will be held indefinitely in accordance with its legal or regulatory obligations.

Max Recovery Limited will retain your personal data for longer than the periods specified above if required by law, to defend or exercise legal rights (such as defending legal claims) or to comply with regulatory obligations.

Once the retention periods set out above have concluded, Max Recovery Limited will either:

- permanently delete or destroy the relevant personal data;
- archive your personal data so that it is beyond use; or
- anonymise the relevant personal data.

## 6. **Your rights**

It is important to Max Recovery Limited that you are in control of your own information. As a result, it offers the following controls:

- You may request access to or copies of the personal data that Max Recovery Limited holds about you. If you would like to exercise this right, please contact Max Recovery Limited Customer Support Team at Evolve Servicing Limited, Bridgewater Place, Water Lane, Leeds, LS11 5DR or [customersupport@evolveservicing.com](mailto:customersupport@evolveservicing.com) (or such other postal and e-mail address as we confirm to you from time to time);
- If you believe that any information Max Recovery Limited holds about you is incorrect or incomplete, please contact the Max Recovery Limited Customer Support Team at Evolve Servicing Limited, Bridgewater Place, Water Lane, Leeds, LS11 5DR or [customersupport@evolveservicing.com](mailto:customersupport@evolveservicing.com) (or such other postal and e-mail address as we confirm to you from time to time) as soon as possible. Max Recovery Limited will take steps to seek to correct or update any information if it is satisfied that the information it holds is inaccurate. In certain circumstances, you may also request that Max Recovery Limited restricts its processing;
- You may request that your personal data be deleted where it is no longer necessary for the purposes for

which it is being processed and provided there is no other lawful basis for which Max Recovery Limited may continue to process such personal data. If you would like to exercise this right, please

contact Max Recovery Limited Customer Support Team at Evolve Servicing Limited, Bridgewater Place, Water Lane, Leeds, LS11 5DR or [customersupport@evolveservicing.com](mailto:customersupport@evolveservicing.com) (or such other postal and e-mail address as we confirm to you from time to time);

- d) Where you have provided Max Recovery Limited with your personal data that it processes using automated means, you may be entitled to a copy of that personal data in a structured, commonly- used and machine readable format. If you would like to exercise this right, please contact Max Recovery Limited Customer Support Team at Evolve Servicing Limited, Bridgewater Place, Water Lane, Leeds, LS11 5DR or [customersupport@evolveservicing.com](mailto:customersupport@evolveservicing.com) (or such other postal and e-mail address as we confirm to you from time to time).

## **7. Your rights to object to and restrict processing**

In some circumstances, you may, on grounds relating to your particular situation, have grounds to object to Max Recovery Limited's processing of your personal data. Max Recovery Limited will consider any objections to its processing on the particular circumstances relating to each case.

You may also request that Max Recovery Limited restricts the processing of your data to which you have consented or for the establishment, exercise or defence of legal claims or the protection of the rights of another person:

- whilst Max Recovery Limited verifies your data as set out in (2) above;
- pending verification of Max Recovery Limited's legitimate grounds as set out in (4) above; or
- if the processing is unlawful or no longer necessary but you wish Max Recovery Limited to retain your data for the purposes of establishing, exercising or defending legal claims.

## **8. Contact**

Please contact Max Recovery Limited if you have any concerns about how your personal data is processed who will try to resolve your concerns. However, if you consider that Max Recovery Limited is in breach of its obligations under data protection laws, you have a right to lodge a complaint with the Information Commissioner's Office.

You can contact Max Recovery Limited by e-mail at [data.privacy@jpmorgan.com](mailto:data.privacy@jpmorgan.com) or by post at 25 Bank Street, London, E14 5JP (or such other e-mail and postal address as we confirm to you from time to time).

Where appropriate to manage and/or collect payments from your account, Max Recovery Limited or its agents will contact you regarding your account.

## **9. Data Protection Officer**

Max Recovery Limited has a data protection officer, appointed at JP Morgan group level, to ensure that Max Recovery Limited processes your personal data appropriately. You can contact them at [data.privacy@jpmorgan.com](mailto:data.privacy@jpmorgan.com) or write to them at c/o EMEA Privacy, JPMorgan Chase Bank National Association, 25 Bank Street, Canary Wharf, London E14 5JP (or such other contact details as we confirm to you from time to time).

10. **Definitions**

<b>Controller</b>	The entity that determines the purposes and means of the processing of personal data.
<b>Information Commissioner's Office</b>	The public authority in the United Kingdom that has responsibility for overseeing compliance with applicable data protection laws.
<b>Personal data</b>	Information that relates to any individual or from which any individual is identifiable.
<b>Process or processed or processing</b>	<p>Anything that is done with any personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.</p> <p>Any person or entity that processes personal data on behalf of the controller (other than employees of the controller).</p>