



# *The Saifee Foundation of Europe*

## **Introduction**

Welcome to the privacy policy of The Saifee Foundation of Europe (the **Foundation**). The Foundation respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you make an application to the Foundation to borrow Qardan Hasana or act as a guarantor for a person who receives Qardan Hasana. It also tells you about your privacy rights and how the law protects you.

## **1. Important information and who we are**

### **Purpose of this privacy policy**

This privacy policy aims to give you information on how the Foundation collects and processes your personal data when you apply for Qardan Hasana or act as a guarantor for a person who receives Qardan Hasana. It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

### **Controller**

The Foundation is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy policy).

### **Contact details**

If you have any questions about this privacy policy or our privacy practices, please contact our data privacy manager in the following ways:

Full name: Huzefa Zainuddin and Kaiyum Khairullah

Email address: [info@dawatuk.org](mailto:info@dawatuk.org)

Postal address: The Saifee Foundation of Europe, 6 Mohammedi Park Complex, Rowdell Road, Northolt UB5 6AG

Telephone number: 020 8839 0750

## **Changes to the privacy policy and your duty to inform us of changes**

We keep our privacy policy under regular review. This version was last updated on 1 April 2022. Historic versions can be obtained by contacting us. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## **2. The data we collect about you**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, last name, education and qualifications, username or similar identifier, marital status, title, job, date of birth, companies house search and gender.
- **Contact Data** includes residential address, email address and telephone numbers.
- **Financial Data** includes income, expenditure, bank statements, credit scores, credit reference reports, business plans, accounts, financial history, future financial obligations, director searches, credit checks, circumstances which might lead to a material change in income or expenditure and bank account details.
- **Repayment Data** includes details about payments to and from you.

**Special Category Data:** We collect information about your religious beliefs. This includes your membership of the Dawoodi Bohra community and a *jamat safai chitthi* from your Anjuman setting out information about your religious observance. We may also process information about your health if it is relevant to your application for Qardan Hasana or your ability to repay.

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you to make Qardan Hasana available to you.

### 3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in our application forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you apply for Qardan Hasana, fill in a form on our website or contact us.
- **Third parties.** We will sometimes receive personal data about you from third parties including credit reference agencies, when we carry out credit checks, and the *jamat safai chitthi* letter from your Anjuman.

### 4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in any of the following circumstances: where we have your consent; where we need to perform the contract we are about to enter into or have entered into with you; and where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

#### Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
<b>Application Review</b> Before lending, and at the point of any increases in borrowing, we will carry out an affordability assessment of the borrower and guarantor's ability to repay the sums due.		
To carry out a credit check with a credit reference agency.	(a) Identity (b) Contact (c) Financial	Your consent.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
<p>To receive and review your application and assess your ability to repay the sums due under Qardan Hasana or your ability to meet your obligations as a guarantor.</p> <p>To communicate with you about your application to borrow Qardan Hasana or act as a guarantor.</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Financial</p> <p>(d) Repayment</p> <p>(e) Special Category Data</p>	<p>Necessary for our legitimate interests (to ensure we lend responsibly).</p> <p>We use Special Category Data on the basis that this is permitted under data protection laws in the course of our legitimate activities as a religious foundation, and we do not disclose the Special Category Data outside the foundation without your consent.</p>
<p><b>Lending Qardan Hasana</b></p> <p>If your application is approved we will use your information to make the Qardan Hasana loan and administer our relationship with you as a borrower or guarantor.</p>		
<p>To prepare and complete the loan documents and guarantee if your application is successful.</p> <p>To communicate with you about your loan or guarantee.</p> <p>To make the loan payment and receive repayments.</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Financial</p> <p>(d) Repayment</p>	<p>Performance of a contract with you.</p>
<p><b>Ongoing Monitoring</b></p> <p>After we enter into a Qardan Hasana loan with you, we will monitor your repayment record and take appropriate action if we identify signs of actual or potential repayment difficulties.</p>		
<p>To monitor your payment record and ensure we can identify signs of repayment difficulties.</p> <p>To take appropriate action if you are experiencing repayment difficulties.</p>	<p>(a) Identity</p> <p>(b) Financial</p> <p>(c) Repayment</p>	<p>Performance of a contract with you.</p> <p>Necessary for our legitimate interests (to ensure you are able to repay the Qardan Hasana loan and respond appropriately if you are experiencing or may experience repayment difficulties).</p>
<p><b>Complying with our Regulatory Obligations</b></p> <p>Our lending of Qardan Hasana is regulated by the Financial Conduct Authority (<b>FCA</b>). We may use your information where necessary to comply with our regulatory obligations and to demonstrate to the FCA or other regulators that we have complied with those obligations.</p>		
<p>To comply with regulatory requirements.</p>	<p>(a) Identity</p>	<p>Necessary for compliance with our legal obligations.</p>

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To demonstrate to regulators that we have complied.	(b) Contact (c) Financial (d) Repayment	Necessary for our legitimate interests (to ensure we can demonstrate compliance and maintain a transparent relationship with our regulators).

### **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **5. Disclosures of your personal data**

Once we receive your application, an initial assessment will be undertaken by the people who work for the Foundation. This will include an assessment of both creditworthiness and affordability. Following this, a scrutinizer will be appointed to further assess the application. The scrutinizer is usually one of the trustees of the Foundation or a business person or professional within the Dawoodi Bohra community who knows the applicant well. The scrutinizer will assess the application and will ask the applicant further questions and request further supporting documentation if required. The scrutinizer will put together a report on the application and pass this on to a group from the Qardan Hasana Committee for approval.

If we need to obtain reports from credit reference agencies we will share your information with them so that they can provide the reports.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-parties to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 6. International transfers

We do not transfer your personal data outside the UK.

## 7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those persons working for the Foundation, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Data retention

## 8. How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

## 9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

**If you wish to exercise any of the rights set out above, please contact us.**

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### **Your right to make a complaint**

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK regulator for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.