

# Privacy Policy

## 1. Introduction

1.1 Your privacy is important to the independent Re-Review Panel (“the Foskett Panel”). This Privacy Policy (“Policy”) sets out how the Foskett Panel will collect, use, and share any personal information that is submitted to it by you, or that it receives from Lloyds Banking Group plc (“the Bank”) or any other third party, for the purposes of conducting its independent re-review of the direct and consequential losses (“D&C losses”) suffered by victims of the fraud perpetrated through the ‘HBOS Impaired Assets Unit’ based at Reading and Bishopsgate, and the company called Quayside Corporate Services Limited (‘QCS’), together with its Associates (“the Re-Review Process”).

1.2 It also explains the security mechanisms that are in place to ensure your personal information is protected, and who to contact should any further information be required.

1.3 This Policy continues to apply after the final determination of any claim within the Re-Review Process.

## 2. Who we are

2.1 For the purposes of the Data Protection Act 2018 and the General Data Protection Regulation (Regulation (EU) 2016/679))

("GDPR"), the data controllers are Sir David Foskett, Philippa Hill and Andrew Hildebrand, the members of the Foskett Panel.

2.2 The three members of the Foskett Panel are each individually registered as data controllers with the Information Commissioners Office ("ICO").

2.3 The Foskett Panel itself is also registered as a data controller with the ICO. The Data Protection Officer ("the DPO") for the Foskett Panel is Joseph Hesketh of Project Associates Ltd.

2.4 Moreover:

2.4.1 FTI Consulting LLP will assist the Foskett Panel with the financial assessment of individual cases.

2.4.2 Project Associates, a strategic communications consultancy, will support the Foskett Panel's engagement with stakeholders.

2.4.3 A team composed of members of 39 Essex Chambers will support the legal aspect of the Foskett Panel's work.

### 3. The bases on which the Foskett Panel collect, use and share personal data

3.1 The Foskett Panel rely on the following lawful bases to collect and use your personal information:

3.1.1 At the stage of being invited to 'opt-in' to the Re-Review Process, you will have provided your express consent for the Foskett Panel to use or 'process' your personal information in accordance with its legitimate functions in conducting the Re-Review Process.

3.1.2 However, if you do not provide your consent at the outset, or opt-out having started the process, it is important that you understand that the Panel may still receive and process your personal data as part of the Re-Review claim of a customer connected to the business you were involved in. This is because the Panel consider that it is in the legitimate interests of the Panel and/or the legitimate interests of a third party in carrying out the processing for the purposes set out below.

3.2 Moreover, and for the sake of completeness:

3.2.1 The Foskett Panel may also process personal information on the basis that it is necessary to defend any civil or regulatory legal claims brought directly against the Foskett Panel.

3.2.2 The Foskett Panel may also process personal information where it is necessary to prevent or detect unlawful acts where it is in the substantial public interest and such processing must be carried out without consent so as not to prejudice those purposes.

3.3 Your rights, including your right to object to the processing of your data, are set out below.

## 4. Collection of information

4.1 For the purposes of the Re-Review Process, the Foskett Panel will collect personal information that is provided to it either by yourself (via email to [info@foskettpanel.com](mailto:info@foskettpanel.com) or otherwise), by the Bank, or by other relevant third parties (such as, for example, members of the public, family and friends, public records and registers), as permitted by law.

4.2 This information may include, but not be limited to, any of the following information about you:

4.2.1 Name (including any previous name(s));

4.2.2 Correspondence address(es);

4.2.3 Date of birth;

4.2.4 Telephone number(s);

4.2.5 Transactional account data;

4.2.6 Family details;

4.2.7 Financial details;

4.2.8 Education, training and employment details;

4.2.9 Physical or mental health details;

4.2.10 Criminal proceedings, outcomes and sentences, and related security measures;

4.2.11 Any other personal information relevant to the Re-Review Process, including personal information specific to the assessment of D & C losses.

## 5. Use of information

5.1 The Foskett Panel will use or 'process' personal information in accordance with this Policy to undertake its functions in the Re-Review Process.

5.2 The Foskett Panel will not use your personal information for marketing purposes.

5.3 The Foskett Panel may include personal information in its 'minded-to' and final decisions where such inclusion is necessary. The Panel will not include any contact details within these decisions.

5.4 Your personal information may be used by the Foskett Panel to respond to complaints, where the use of that personal information is necessary.

## 6. Sharing of personal information with third parties

6.1 Personal information submitted to the Foskett Panel may be shared with third parties where you provide consent for such information to be shared.

6.2 Personal information may also be shared with third parties where it is necessary to do so, to comply with any legal or regulatory requirements.

6.3 Additionally, personal information may be shared with third parties, where it is necessary to do so for the legitimate interests of the Re-Review Process, or for the legitimate interest of the third parties. The third parties with whom personal data may be shared may include, but not be limited to:

6.3.1 Individuals and professional advisors involved in the Re-Review Process, including, but not limited to:

6.3.1.1 Legal advisors involved in the Re-Review Process, including members of 39 Essex Chambers LLP;

6.3.1.2 Financial advisors involved in the Re-Review Process, including partners and employees of FTI Consulting LLP;

6.3.1.3 Communications advisors involved in the Re-Review Process, including employees of Project Associates Ltd;

6.3.1.4 Individuals or their representatives, participating in the Re-Review Process who are connected with you or the business that you were involved in;

6.3.2 The Bank;

6.3.3 Data possessors such as IT support staff, 39 Essex Chambers' staff, email providers, and data storage processors and providers.

## 7. Storage of personal information

7.1 Personal information collected during the Re-Review Process may be transferred, stored and/or processed outside of the European Economic Area (EEA) where it is necessary to do so for the legitimate interests of the Re-Review Process.

7.2 The Foskett Panel will maintain physical and electronic safeguards that comply with applicable legal standards to secure the confidentiality of your information, including personal information from unauthorised access and use, alteration and destruction.

7.3 In particular, the Foskett Panel will take all reasonable steps to ensure that personal data is processed and stored securely at all times.

7.4 All information submitted to the Re-Review Process is stored on secure servers.

7.5 The Foskett Panel cannot accept any responsibility for any breach of data privacy during the transmission of information to the Foskett Panel and prior to its receipt. Any information sent to the Foskett Panel is done so entirely at the sender's own risk. Once the information is received by the Foskett Panel it will use the information in accordance with this Policy.

## 8. Consent

8.1 As explained above, the Foskett Panel will rely on your explicit consent to process your information if you indicate an intention opt-in to the Re-Review process, and will continue to rely on that consent until and unless it is withdrawn.

8.2 You have the right to withdraw this consent at any time, but this will not affect the lawfulness of any processing activity carried out prior to you withdrawing your consent. However, where the Foskett Panel also relies on other bases for processing your information, you may not be able to prevent processing of your information.

8.3 If there is an issue with the processing of your information, please contact the Foskett Panel using the contact details below.

## 9. Your Rights

9.1 Under the GDPR you have a number of rights that you may exercise in certain circumstances. You will not be charged any sum of money for seeking to exercise such rights. In summary, you may be entitled to:

9.1.1 Ask for access to your personal information and other supplementary information held by the Foskett Panel;

9.1.2 Ask for any of your personal information held by the Foskett Panel to be corrected;

9.1.3 In some circumstances, ask for personal data to be erased;

9.1.4 Request a copy of the personal information you have provided to the Foskett Panel to be sent to you, or to a third party;

9.1.5 In certain circumstances, object to continued processing of your personal information;

9.1.6 In some circumstances, restrict the way in which the Foskett Panel uses your data.

9.2 Should you wish to exercise any of the above rights, you should contact the Foskett Panel using the address at the end of this Policy, setting out which right you seek to exercise. You may need to provide additional information so that your identity can be confirmed. The Foskett Panel will respond to

any such request within one calendar month of receipt of such a request containing all the required information and confirmation of identity.

9.3 Further details of your rights under the GDPR can be found on the ICO website [here](#).

9.4 You have the right to lodge a complaint with the ICO if you are in the UK, or with the supervisory authority of the Member State where you work or normally live. Details of how you can make a complaint about the manner in which your data is being processed can be done can be found on the ICO website [here](#).

## 10. Retention of Personal Information

10.1 The Foskett Panel will only retain your personal data for as long as is necessary to comply with all regulatory, statutory and contractual obligations, and in accordance with the legitimate interests of the Re-Review Process.

10.2 The personal information will be stored for at least 3 years after the conclusion of the work of the Foskett Panel.

## 11. Transfer of personal information outside the European Economic Area ("EEA")

11.1 If you reside outside the EEA, or your case involves persons or organisations outside the EEA, then it may be necessary to

transfer some of your information to that country outside of the EEA for that purpose. If you are in a country outside the EEA, then it is inevitable that information will be transferred to those countries. If this applies to you and you wish additional precautions to be taken in respect of your information please indicate this to the Foskett Panel in writing, by the contact details provided below.

11.2 The Foskett Panel may transfer your personal information to cloud information storage services based in the USA.

## 12. Future processing

The Foskett Panel does not intend to process your personal information except for the reasons stated within this Policy. Should this change, this Policy will be amended and you will be informed of any such change.

## 13. Amending this Policy

13.1 This Policy may be amended from time to time. Should this Policy be amended you will be informed of any such change.

13.2 This privacy notice was published on 29<sup>th</sup> July 2020. It has not been amended since this time.

## 14. Contact

Should you wish to contact the Foskett Panel or Joseph Hesketh, the DPO, regarding any matters contained within this Policy, or should you require any further information, please contact: [info@foskettpanel.com](mailto:info@foskettpanel.com).