

DONOR GIFT DEPOSIT DECLARATION (CONSUMER)



Please complete this document in full for any Gifted Deposits

(This form replaces the gifted deposit letter)

Name of Gift Recipients (applicants):	
Mortgage Reference Number:	
Full Name of Donor (s):	
Date of Birth of Donor (s):	
Full Address of Donor (s):	
Relationship of Donor (s) to Recipients:	
Amount being gifted:	
Source of Deposit: e.g. Savings, Inheritance, Pension, Investments or Sale of Property. (Please note this is not an exhaustive list).	
Reason for Gift: (If Purchase is a Buy to Let, please confirm you are aware it is for a Buy to Let purchase)	

Gifted Deposit Terms, Declarations and Consents

Please read this document section carefully before going ahead with making your gifted deposit. If there is anything you do not understand, you may wish to discuss this with a mortgage intermediary or financial advisor before signing below.

1. OUR DETAILS

In this document “we”, “us” and “our” means Kensington Mortgage Company Limited (the mortgage lender) and our successors and anyone who takes over our legal rights and/or responsibilities under our agreement with you. We are authorised and regulated by the Financial Conduct Authority and our registered office is Ascot House, Maidenhead Office Park, Maidenhead SL6 3QQ.

2. USING INFORMATION ABOUT YOU

For the purposes of the UK General Data Protection Regulation and the Data Protection Act 2018 (together “the Data Protection Legislation”), we are the data controller of the information we collect and use about you.

2.1 We may use information about you to:

- carry out checks to help prevent and detect fraud, money laundering and other crime;
- verify your identity;
- meet our obligations to any relevant regulatory authority.

2.2 We may give information about you to:

- others to do similar checks to us (or to people who store and share information to help others do such checks);
- affiliates and other businesses in our group, to use in the same ways as us;
- people giving us services (for example solicitors, valuers, insurers, debt counsellors, debt collectors, analytic and market research firms and people funding us), to use as reasonably needed for those services;
- people giving you advice/your advisors (including but not limited to accountants, lawyers or other professional advisors) where authorised by you;
- anyone to whom we may transfer our relationship with the gift recipient/applicant (or part of it), to prepare for the transfer and, if the transfer goes ahead, to use in the same ways as us;
- any actual or proposed purchaser of a mortgage and their advisers;
- anyone we need to give the information to by law;
- our regulator the Financial Conduct Authority and its successors and industry bodies;
- Fraud Prevention Agencies, credit reference agencies, the police and any other relevant law enforcement agency;
- HM Land Registry, the Registers of Scotland, the Land Registry of Northern Ireland and HM Revenue & Customs and other proper bodies, persons or bureaux; and
- if you are making a joint gifted deposit, we may give information about one of you to the other (or others) of you.

Please note, if we give someone information about you, we will (as appropriate) require them to keep the information confidential and safe.

2.3 Special category data

We do not anticipate using sensitive personal data about you for the purpose of processing the gifted deposit or during the term of the mortgage. In the unlikely event it is necessary to do so, we may use sensitive data we hold about you (if any) where we need to do so to protect your interests or to comply with legal requirements.

Special category data may include information, or can be inferred from the data, relating to your health, religion, and commission of offences or court proceedings.

2.4 Credit reference agencies (“CRAs”)

In order to process your gifted deposit, we will perform identity checks on you with one or more credit reference agencies (“CRAs”).

To do this, we will supply your personal information to CRAs and they will give us information about you. This will include information from your gifted deposit form and about your financial situation and financial history. CRAs will supply to us both public (including the electoral register) and shared credit, financial situation and financial history information and fraud prevention information.

We will use this information to:

- Verify the accuracy of the data you have provided to us;
- Prevent criminal activity, fraud and money laundering; and
- Ensure the gifted deposit is acceptable in the circumstances.

A number of searches within a short period may impact on your ability to obtain credit.

When CRAs receive a search request from us they will place a search footprint on your credit file that may be seen by other lenders.

If you are making a joint gifted deposit, or tell us that you have a spouse or financial associate, we will link your records together, so you should make sure you discuss this with them, and share with them this information, before making the gifted deposit. CRAs will also link your records together and these links will remain on your and their files until such time as you or your partner successfully files for a disassociation with the CRAs to break that link.

The identities of the CRAs, their role also as fraud prevention agencies, the data they hold, the ways in which they use and share personal information, data retention periods and your data protection rights with the CRAs are explained in more detail in the Credit Reference Agency Information Notice (“CRAIN”), a common statement developed by the 3 major CRAs. A copy of the CRAIN can be found at <https://www.kensingtonmortgages.co.uk/intermediaries/literature-documents>. CRAIN is also accessible from each of the three CRAs – clicking on any of these three links will also take you to the same CRAIN document: Callcredit (www.callcredit.co.uk/crain); Equifax (www.equifax.co.uk/crain); Experian (www.experian.co.uk/crain).

2.5 Our legal basis for processing your data

In most cases our use of your personal data is necessary for the processing of your gifted deposit or for the purposes of our legitimate interest in running our business. However sometimes we process your information because we have a legal obligation to do so, for example to carry out anti-money laundering checks. In other cases we will ask for your consent before we process your data.

2.6 Transferring information overseas

All countries in the European Economic Area (including the UK) have similar standards of legal protection for information about you. We may transfer your information to countries outside the European Economic Area which are not considered to have the same level of data protection as in the EU. If we do this, we will require the people with whom we share your information to protect it to at least UK standards (for example by imposing contractual obligations on them). Should you wish to know more about how data is protected please contact us using the details below.

2.7 Automated decisions

We do not use automated decision making systems to check your identity.

2.8 Your data, your rights

You may exercise several rights in relation to the data we process about you. These are:

1. Access to your Personal Data – we will tell you whether we process personal data concerning you, and provide you with the required information about that processing, as well as a copy of the personal data. There is no charge for this. If you wish to exercise this right, please use our online form, telephone on 0333 300 0426 between the hours of 9am to 5:30pm, Monday to Friday or write to us at Ascot House, Maidenhead Office Park, Maidenhead SL6 3QQ, stating that you are making a “Data Subject Access Request”.
2. Rectification – please let us know if you believe that we are using any inaccurate or incomplete personal data about you.
3. Under certain circumstances, as determined by the Data Protection Legislation, you may ask us to:
 - i. Erase the personal data we hold and use about you (right of erasure);
 - ii. Restrict the way in which we hold and use your personal data (right of restriction);
 - iii. Provide you with your data in a re-usable structure, or transmit this to another party as your request (right to data portability);
 - iv. Stop holding or using your data for specific reasons, including marketing (right to object).
4. You also have the right not to be subjected to a decision based solely on automated processing (e.g. taken solely by a computer) where this decision has a legal or otherwise significant effect on you.

If you would like to exercise any of the rights mentioned in 2, 3, and 4, or for further information in relation to the way in which we process your data, please contact our Data Protection Officer on DPO@kensingtonmortgages.co.uk or write to us at The Data Protection Officer, Ascot House, Maidenhead Office Park, Maidenhead, SL6 3QQ or telephone on 0333 300 0426 between the hours of 9am to 5:30pm, Monday to Friday.

You can find out more about your rights, and how to exercise them, or refer any concerns you have to the Information Commissioner’s Office (www.ico.org.uk or call their helpline on 0303 123 1113).

2.9 How long will personal data be retained?

Records shared with credit reference agencies remain on file for 6 years after they are closed, whether settled by you or defaulted.

We store other information for as long as it is necessary for the purposes for which we collected it, in accordance with the Data Protection Legislation.

2.10 Who controls my data?

The data controller of your information is Kensington Mortgage Company Limited.

2.11 Queries and complaints

If you have any questions about how your personal data is used or wish to complain, please contact:

The Data Protection Officer
Kensington Mortgage Company Limited
Ascot House
Maidenhead Office Park
Maidenhead
SL6 3QQ

DPO@kensingtonmortgages.co.uk

You have a right to complain to the Information Commissioner’s Office (www.ico.org.uk).

YOUR CONSENT

By signing below you confirm that:

- a) The amount being gifted is given as an unconditional gift and is not repayable by the recipient(s);
- b) you will have no interest or rights in the property being purchased by the recipient(s);
- c) you have given true, complete and up-to-date information;
- d) you give the above declarations, and agree to the above terms and to the extent we and/or third parties do not have a legitimate interest in processing your personal data, you consent to:
- e) our processing of your personal data, including carrying out searches with the parties identified above, in particular with credit reference agencies;
- f) our transfer of your personal data outside of the EEA where necessary for the administration of our agreement with you or for the purposes of running our business; and
- g) our use of sensitive information and special category data for the purposes set out above.

Signed by First Donor	
Print name	
Date	

Signed by Second Donor	
Print name	
Date	

Enclosed Documents

I enclose the following document (please tick):
<input type="checkbox"/> Documentary proof of ID for each donor (i.e. Passport / Driving Licence)