

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 data 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 data 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) as it forms part of the laws of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018 ("UK GDPR"), the data controllers are Sir David Foskett, Philippa Hill and Andrew Hildebrand, the members of the Foskett Panel.
- 2.2 Each of the three members of the Foskett Panel is individually registered as a data controller 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 In addition:
 - 2.4.1 A team of third-party financial advisors will assist the Foskett Panel with the financial assessment of individual cases.
 - 2.4.2 A team of third-party legal advisors will support the legal aspect of the Foskett Panel's work;
 - 2.4.3 A team of third-party case managers will assist in the case management of the Foskett Panel's work;
 - 2.4.4 A strategic communications consultancy, will support the Foskett Panel's engagement with stakeholders.

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

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

3.1 Legitimate Interests

- 3.1.1 The Foskett Panel will receive and process your personal data for the purposes of conducting the Re-Review Process. This is on the basis that it is in the legitimate interests of the Foskett Panel to carry out its functions and duties in connection with the Re-Review Process for the purposes set out in Section 5 of this Policy.

3.1.2 The Panel may also process your personal data as part of the Re-Review claim of a customer connected to the business you were involved in or a customer claim which is linked to yours factually. This processing is in the legitimate interests of the Foskett Panel and other customers in the Re-Review process because the processing enables the Foskett Panel to carry out its functions and duties in connection with the Re-Review Process for the purposes set out in Section 5 of this Policy..

3.1.3 The Foskett Panel will receive and process personal data during the course of the personal video meeting(s) recorded by the Foskett Panel which take place between you, your legal and/or financial advisors, and the Foskett Panel for the purposes of preparing a transcript of the meeting. This is on the basis of legitimate interests pursued by the Foskett Panel in ensuring there is an accurate transcript of the meeting, which will assist the Foskett Panel in connection with the Re-Review Process.

3.2 Necessary to Exercise, Establish, or Defend Against Legal Claims

3.2.1 The Foskett Panel may also process personal data 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, depending on the circumstances of your claim, process data which may constitute personal data that relates to your physical or mental health. In such circumstances, the processing is necessary for the establishment or exercise of a legal claim, namely your legal right to compensation following the D&C losses.

3.3 Compliance with a Legal Obligation

3.3.1 The Foskett Panel may also process personal data where it is necessary to comply with legal obligations to which the Foskett Panel is subject, including in particular in preventing or detecting unlawful acts and for anti-money laundering purposes.

3.4 Your rights, including your right to object to the processing of your data, are set out in Section 8 below.

4. Collection of information

- For the purposes of the Re-Review Process, the Foskett Panel will collect personal data that is provided to it either via email or otherwise, by yourself, 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.

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

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

4.1.2 Correspondence address(es);

4.1.3 Date of birth;

4.1.4 Telephone number(s);

4.1.5 Transactional account data;

4.1.6 Family details;

4.1.7 Financial details;

4.1.8 Education, training and employment details;

4.1.9 Physical or mental health details;

- 4.1.10 Criminal proceedings, outcomes and sentences, and related security measures; and
- 4.1.11 Any other personal data relevant to the Re- Review Process, including personal information specific to the assessment of D&C losses.

5. Use of personal data

- 5.1 The Foskett Panel will use or 'process' personal data in accordance with this Policy to undertake its functions in the Re- Review Process.
- 5.2 The Foskett Panel may include personal data in its 'minded-to' and final decisions where such inclusion is necessary. The Panel will not include any contact details within these decisions.
- 5.3 The Foskett Panel may record video meetings attended by you, your legal representative and the Foskett Panel to create an accurate transcript of that meeting. Once the transcript is created, the recording is deleted. This transcript is retained and used to assist with any decisions it needs to make in connection with the Re-Review Process;
- 5.4 Your personal data may be used by the Foskett Panel to respond to complaints, where the use of that personal data is necessary;
- 5.5 The Foskett Panel will not use your personal data for marketing purposes.

6. Sharing of personal data with third parties

- 6.1 Personal data submitted to the Foskett Panel may be shared with third parties. As explained in section 3.1.2 above, in some cases the Foskett Panel may share your personal data with customers involved with claims connected to yours.
- 6.2 Personal data may also be shared with third parties where it is necessary to do so, to comply with any legal or regulatory requirements.
- 6.3 Personal data 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 third parties. The third parties with whom personal data may be shared may include, but are not limited to:
 - 6.3.1 Individuals and professional advisors involved in the Re- Review Process, including, but not limited to:
 - (a) Financial advisors involved in the Re-Review Process, including partners and employees of FTI Consulting LLP;
 - (b) Legal advisors involved in the Re-Review Process, being members of 39 Essex Chambers LLP;
 - (c) Case managers involved in the Re-Review Process, being barrister members of 39 Essex Chambers LLP;
 - (d) Communications advisors involved in the Re- Review Process, including employees of Project Associates Ltd;
 - (e) Individuals or their representatives, participating in the Re-Review Process who are connected with you or the business that you were involved in or whose claim is factually linked to yours;
 - 6.3.2 The Bank;
 - 6.3.3 Facilitators engaged by customers;

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

7. Storage of personal data

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

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

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

7.4 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. Your Rights

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

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

8.1.2 Ask for any of your personal data held by the Foskett Panel to be corrected;

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

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

8.1.5 In certain circumstances, object to continued processing of your personal data; and

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

8.2 Should you wish to exercise any of the above rights, you should contact the Foskett Panel at info@foskettpanel.com, 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.

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

8.4 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 found on the ICO website [here](#).

9. Retention of personal data

9.1 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. When the Foskett Panel no longer needs to retain or process your personal data, it will be deleted.

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

- 10.1 If you reside outside the UK or the EEA, or your case involves persons or organisations outside the UK or the EEA, it may be necessary to transfer some of your information to that country outside of the UK or the EEA for that purpose. If you are in a country outside the UK or 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.
- 10.2 The Foskett Panel may transfer your personal data to cloud information storage services based in the USA. Where such a transfer takes place, the Foskett Panel relies on the Standard Contractual Clauses to safeguard this transfer.

11. Future processing

The Foskett Panel does not intend to process your personal data 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.

12. Amending this Policy

- 12.1 This Policy may be amended from time to time. Should this Policy be amended you will be informed of any such change through notification on the Foskett Panel website or such changes may be communicated to you directly.
- 12.2 This Policy was published on 29th July 2020 and last updated on 2nd August 2022.

13. 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.