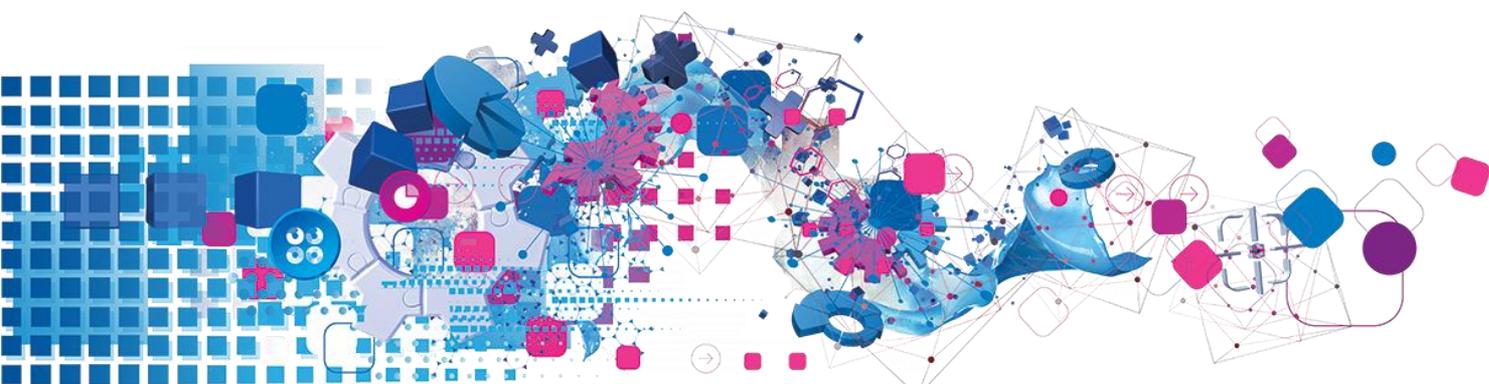




GRA Information Pack

The Gender Recognition Act 2004 and Your Credit Report



1. Introduction

1.1 Introduction

Experian, as one of the three UK credit reference agencies (CRAs), holds information about virtually every UK adult. Under Article 15 of the General Data Protection Regulation (GDPR) and Section 13 of the Data Protection Act 2018, you are entitled to see a copy of the information we hold about you. This is called your credit report.

In certain circumstances, other organisations can also see some or all of the information on your credit report. They might do this, for example, to help them:

- give you credit;
- confirm your identity;
- offer you a job; or
- lease you a property

This pack explains how we can help people who have changed gender. If there is any record of your old name you may be able to choose to have some or all of the information in your old name changed into your new name and any links (known as 'aliases') between your old and new names removed from your credit report.

Alternatively, you may choose not to update your information and to keep the link to your old name. Both these options have advantages and disadvantages. If your old name is not shown on your credit report, you do not need to do anything else.

1.2 The Gender Recognition Act 2004

1.2.1 About the Gender Recognition Act 2004

The Purpose of the Gender Recognition Act is to enable individuals to legally change their gender by making an application to a Gender Recognition Board for a certificate. A successful application will result in the individual being given a new birth certificate in their acquired gender. In order to qualify, they do not necessarily have to have undergone surgery but they do have to have lived in their acquired gender for at least 2 years beforehand.

1.2.2 The Gender Recognition Act 2004 and your credit report

Under the Gender Recognition Act:

- If you have applied for a Gender Recognition Certificate, a person or organisation acting in an official capacity cannot disclose information about your application for a certificate or the fact that you have applied to anyone else.
- If you have been successful in obtaining a Gender Recognition Certificate, they also cannot disclose information about your previous gender.

To help you protect information about your previous gender in line with your rights under the Act, the three main credit reference agencies in the UK (Experian, Equifax and TransUnion) have set up a special confidential service, to help you with updating your credit report.

1.3 Updating your credit report

1.3.1 What can the credit reference agencies do?

If you have a Gender Recognition Certificate and want to break the link between your current and previous gender, we can:

- provide you with a copy of your credit report in your old and new name, so you can see what information is currently recorded in each;
- contact lenders on your behalf and tell them that your credit report information is protected under the Gender Recognition Act;
- ask lenders to update your name and gender in the information they provide to us;
- add a statement to your credit report which tells organisations conducting a credit search on you that your information is protected under the Act;
- provide you with an updated copy of your credit report to confirm once changes have been made;
- contact the other credit reference agencies so they can start the process of updating your information in their records in the same way.

If you want to keep the link between your current and previous gender, we can help you ask lenders to update your credit report information in to your new name, and can also create an alias link so that organisations searching your information can see information in both names.

1.3.2 What if you don't have a Gender Recognition Certificate?

If you don't have a Gender Recognition Certificate but have changed your name, we can still contact lenders on your behalf to ask them to update their records. However, without a GRC your credit report information is not formally protected under the Act and any changes will be at the lender's discretion. It is likely that a lender will ask you to contact them directly with proof of your name change.

1.3.3 Information that the credit reference agencies cannot update

There are certain items of information on your credit report which are public record information and cannot be updated by the credit reference agencies. These include:

- Electoral roll;
- Adverse public record information (such as CCJs, IVAs, Bankruptcies, DROs, Scottish Trust Deeds, Sequestrations, etc.)

You can contact your local authority to ask them to change your electoral roll information.

If you have adverse public record information in your old name, this cannot be updated and will usually stay on your credit report for six years from the start date. The exception to this may be certain types of bankruptcy which can last up to 15 years. This means that we cannot totally break the link between your new and old names. We can, however, still help with changing the name on all your other credit records.

However, if you have a Gender Recognition Certificate and have adverse public record information on your credit report, we can add a Notice of Correction to your credit report which tells anyone searching your report that the information about your old name is strictly protected by the GRA. The wording of this statement has been agreed with the Department for Constitutional Affairs. This will make sure that, until the adverse public records are removed from your credit report, anyone searching your report will know that information about your old name is strictly protected by the Gender Recognition Act 2004.

You can also add your own statement as well or instead if you wish. This can be up to 200 words and we can help you word it if necessary.

Once the adverse public records have been removed from your report, you can then ask us to remove any link between your old and new names, if you have a Gender Recognition Certificate and choose to break the link between your old and new names.

Important: if you have a Gender Recognition Certificate you must let us know and provide a copy of it to us. If you don't we will not know you are covered by the Gender Recognition Act 2004 and will not be able to help you protect any information that shows the links between your new and your old name.

2. The Process

2.1 Getting started

2.1.1 What do you need to do next?

- Complete and return forms included in this welcome pack:
 - Credit report application form in your old name
 - Credit report application form in your new name
 - Consent form
- Provide us with a copy of your Gender Recognition Certificate (or deed poll if you do not have a GRC)
- Provide us with your ID documents in both your old and new names as follows
- A copy of one of the following (for each name):
 - Passport
 - Driving licence - full or provisional
 - Birth certificate
 - European ID cards

Please note that where relevant, the document must not have expired.

- A copy of one of the following (for each name):
 - Bank statement (Online statements need to be certified by the bank)
 - Mortgage statement
 - Utility bill
 - Credit card statement
 - Council tax bill (dated within the last 12 months)
 - Driving licence - full or provisional (must have alternative proof of ID)
 - Mobile phone statement

Please note that the document provided as evidence of your new name must be dated within the last 3 months (unless otherwise stated) and have been sent to your current address.

2.2 Next steps

2.2.1 What will we do next?

- If you have given your consent, we will contact the other credit reference agencies on your behalf so that they can start the same process to update their records.
- We'll provide you with a copy of your credit report showing what information is currently recorded in both your old and new name.
- If you have told us you want to keep the link between your old and new name, we will add an alias to your credit report.
- We will start contacting lenders (where necessary) to update your information in accordance the instructions you provide to us on your consent form.
- If you have asked us to do so, we will add a statement to your credit report to explain that your information is protected under the Gender Recognition Act (where applicable) and/or that we have contacted the lender to ask them to update the information in line with your request.
- We will contact you to let you know once each lender has responded (where applicable) to confirm the outcome of our request that they update your information.
- Once all lenders have responded and any changes have been made, we will provide an updated copy of your credit report.

2.3 Any questions?

The FAQs in this pack cover commonly asked questions and may help you. If you have any other questions or need any further help, please get in touch - see the 'contact details' section at the end of this pack.

3. Consent Form (Page 1 of 2)



3.1.1 Complete this form if you have a Gender Recognition Certificate

Section 1 – Your Details:

Old Name:

New Name:

Date of Birth:

Current Address:
(including postcode)

Credit Report Reference Number (if known):

Section 2 – Your Instructions:

1) Do you want the Credit Reference Agencies to keep or break the link between your current and previous identities? (for more information about this, please see the FAQ pages)

- Keep link
- Break link

2) Would you like any of the following statements added to your credit report? (tick all that apply):

- “THE INFORMATION ON THE CURRENT AND PREVIOUS NAME OF THIS CONSUMER IS 'PROTECTED INFORMATION' UNDER THE GENDER RECOGNITION ACT 2004 BECAUSE IT RELATES TO A PERSON WHO HAS CHANGED GENDER UNDER THE ACT. IT MAY BE A CRIMINAL OFFENCE UNDER THAT ACT TO DISCLOSE THIS INFORMATION.”
- “I [NEW NAME] WAS PREVIOUSLY KNOWN AS [PREVIOUS NAME]. I ASK YOU TO TREAT THIS INFORMATION AS CONFIDENTIAL AND NOT TO PASS INFORMATION ABOUT MY CIRCUMSTANCES ONTO OTHERS UNLESS SPECIFICALLY AUTHORISED TO DO SO BY MYSELF IN ACCORDANCE WITH THE PROVISIONS FOR PROCESSING SENSITIVE PERSONAL DATA UNDER ARTICLE 15 GDPR.”

I would like to add my own wording as follows:
.....
.....
.....
.....

I do not want to add any statements to my credit report

3. Consent Form (Page 2 of 2)



3.1.2 Complete this form if you have a Gender Recognition Certificate

Section 3 – Your Consent:

Please tick to confirm we have your consent to:

- Process the information you have provided as part of this request (which includes your personal data and sensitive personal data) for the purposes of acting in accordance with your instructions provided in Section 2 above.
- Provide a copy of the information you have provided as part of this request to any companies whom provide us with data about you on your credit report, so that we can ask them to update their and our records.
- Provide a copy of the information you have provided as part of this request to the other Credit Reference Agencies (TransUnion and Equifax) so that they can also start the process to update their records accordingly (*if you do not want us to contact the other Credit Reference Agencies for you, then do not tick this box*).

I would like Experian to assist me in updating my credit records to show my current and previous name and/or gender, in accordance with the instructions that I have given on this form.

I understand that Experian will, on my behalf, notify this update and these details to the other Credit Reference Agencies and other companies as I have indicated my consent to above, and will request these organisations to update their records accordingly. Experian will make enquiries and answer queries of, give instructions to, and obtain information from these organisations concerning this update.

By signing below, I request and authorise Experian to assist me and to use my information in this way.

Signed (new name): Date:

4. Consent Form (Page 1 of 2)



4.1.1 Complete this form if you do not have a Gender Recognition Certificate and have provided us with a copy of your Deed Poll

Section 1 – Your Details:

Old Name:

New Name:

Date of Birth:

Current Address:
(including postcode)

Credit Report Reference Number (if known):

Section 2 – Your Instructions:

1) Would you like any of the following statements added to your credit report? (tick all that apply):

“I [NEW NAME] WAS PREVIOUSLY KNOWN AS [PREVIOUS NAME]. I ASK YOU TO TREAT THIS INFORMATION AS CONFIDENTIAL AND NOT TO PASS INFORMATION ABOUT MY CIRCUMSTANCES ONTO OTHERS UNLESS SPECIFICALLY AUTHORISED TO DO SO BY MYSELF IN ACCORDANCE WITH THE PROVISIONS FOR PROCESSING SENSITIVE PERSONAL DATA UNDER ARTICLE 15 GDPR.”

I would like to add my own wording as follows:

.....
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I do not want to add any statements to my credit report

4. Consent Form (Page 2 of 2)



4.1.2 Complete this form if you do not have a Gender Recognition Certificate and have provided us with a copy of your Deed Poll

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- Process the information you have provided as part of this request (which includes your personal data and sensitive personal data) for the purposes of acting in accordance with your instructions provided in Section 2 above.
- Provide a copy of the information you have provided as part of this request to any companies whom provide us with data about you on your credit report, so that we can ask them to update their and our records.
- Provide a copy of the information you have provided as part of this request to the other Credit Reference Agencies (TransUnion and Equifax) so that they can also start the process to update their records accordingly (*if you do not want us to contact the other Credit Reference Agencies for you, then do not tick this box*).

I would like Experian to assist me in updating my credit records to show my current and previous name and/or gender, in accordance with the instructions that I have given on this form.

I understand that Experian will, on my behalf, notify this update and these details to the other Credit Reference Agencies and other companies as I have indicated my consent to above, and will request these organisations to update their records accordingly. Experian will make enquiries and answer queries of, give instructions to, and obtain information from these organisations concerning this update.

By signing below, I request and authorise Experian to assist me and to use my information in this way.

Signed (new name): Date:

5. Frequently asked questions

5.1 Getting started

5.1.1 Why can't you update Public Record information?

We can't change judgment details without the consent of the county court, or Registry Trust Ltd, as the details we hold reflect their public records.

If you think the public record needs to be changed, you'll need to contact the court directly. If the court changes anything they'll let Registry Trust know, who'll then let us know.

5.1.2 What's the difference between breaking and keeping the link between my old and new names?

Both these options have advantages and disadvantages. If your old name is not shown on your credit report, you do not need to do anything else.

If there is any record of your old name you may be able to choose to have some or all of the information in your old name changed into your new name and any links (known as 'aliases') between your old and new names removed from your credit report.

Alternatively, you may choose not to update your information and to keep the link to your old name. You might want to do this because of the fact that we cannot change your past electoral roll information. If you choose to break the link, you will lose electoral roll information in your old name from your report. This might make it look like you have not been at your address for very long and might, therefore, be questioned by organisations searching your report in the future.

Please note, if you have adverse public record information in your old name on your credit report, we cannot totally break the link between your new and old names (see 'Information on your credit report that we cannot update' above).

5.1.3 If I choose to break the link between my old and new name, how do I make sure the link stays broken?

If you do decide to break the link it is important that you do not give your previous name to any organisation when you apply for credit or financial services. If the application form has a section asking for your previous name, you should leave it blank. It is not an offence to do this because your records will all have been transferred into your new name.

You can also monitor your own credit report information free of charge by requesting a copy of your Statutory Credit Report.

5.1.4 I am in the process of changing my gender but do not yet have a GRC, can you still help me?

Whilst we are happy to contact lenders and other organisations, to ask them to update the information they provide on your credit report; quite often they will request that you contact them directly as they may want to see their own copy of original documents. Therefore, we advise you to contact them too, to help speed up the process.

5.1.5 Will changing my gender affect my credit score / ability to obtain credit?

If you have changed your gender and/or name, we will help you to update this on your credit report. This means that the financial information on your credit report that is used by lenders will be the same as it was before, it will just be in your new name.

However, if you choose to add a Notice of Correction to your credit report to explain that your information is protected, this may mean that lenders need to manually review your application instead of making an automated decision.

Remember, each lender calculates their own credit score based on the information in your credit report. This means that the lender makes the decision, and different lenders may make different decisions based on the same information.

5.1.6 Why do I need to provide ID for my previous name?

We have strict ID checks in place to make sure your Experian Credit Report information is kept as secure as possible, and these sometimes mean we need to ask for extra documentation that proves your identity.

Without this proof of ID we won't be able to provide you with a copy of your Experian Credit Report. We'll always return any original documents to you.

5.1.7 I only use paper-free billing. Can I send online printouts as proof of my identity?

We do accept online printouts, photocopies, scans or faxed versions of your credit statements and documents but only if they have been certified as true copies by your bank / Credit card company

5.1.8 What is a Notice of Correction (NOC)?

A Notice of Correction is a short explanatory note (up to 200 words) you can add to an entry on your credit report to explain any circumstances relating to that information. Anyone searching your report in the future, will see and take account of the notice of correction.

We cannot add a statement that is longer than 200 words or one we think is unjustified, could damage a person's or organisation's reputation, or is unsuitable for some other reason.

5.1.9 Why should I add a Notice of Correction to my credit report?

If you have a Gender Recognition Certificate, you may wish to add a Notice of Correction to your credit report to explain that your information is protected under the Gender Recognition Act 2004. The consent form in this pack includes suggested wording which has been agreed with the Department for Constitutional Affairs. Alternatively, or in addition, you may wish to add your own wording.

If you do not have a Gender Recognition Certificate you can still add a Notice of Correction to explain any circumstances you would like lenders to take into consideration when searching your credit report. The consent form in this pack includes some suggested wording where you have changed your name but do not have a GRC.

5.1.10 Direct marketing

Postal Mail and Telephone Marketing

The Mailing Preference Service (MPS) and Telephone Preference Service (TPS) are free services that help you remove your name and previous addresses from mailing lists.

We recommend you register your old name with both the Mailing Preference Service and the Telephone Preference Service. This will (after a short period of time) help prevent you getting marketing (“junk”) mail or telephone calls in your old name. You can also add your new name to help prevent marketing, if you wish.

To find out more and register with the Mailing Preference Service, go to:

www.mpsonline.org.uk

To find out more and register with the Telephone Preference Service, go to:

<http://www.tpsonline.org.uk/>

Email Marketing

Unlike Postal or Telephone channels, there is no industry-wide service to opt out of email marketing. Therefore, you should always review privacy policies and marketing opt-in check boxes when registering for services or purchasing products online. If you receive unwanted email marketing, you should unsubscribe or use spam filters to prevent future communications.

6. Contact details

6.1 Credit reference agencies

6.1.1 Experian

Address: Disclosure Team, Experian Ltd, PO BOX 9639, Nottingham NG80 1AE
Web: www.experian.co.uk
E-mail: Disclosureteam@experian.com

6.1.2 Equifax

Address: Customer Service Centre, PO BOX 10036, Leicester, LE3 4FS
Phone: 0800 090 2289
Web: www.equifax.co.uk
E-mail: graadvicelineuk@equifax.com

6.1.3 TransUnion

Address: TransUnion, Specialist Services Team, Consumer Services Team,
PO Box 647, Unit 4, Hull, HU9 9QZ
Phone: 0330 024 7574
Web: www.transunion.co.uk
E-mail: ukspecialistservices@transunion.com