Privacy Commissioner's Office Published a Report Relating to Three Cases Involving Misuse of Employers' Personal Data by Foreign Domestic Helpers for Loan Applications

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Background

The Office of the Privacy Commissioner for Personal Data (PCPD) earlier intervened in three complaint cases involving foreign domestic helpers (FDHs) who provided their employers' personal data to financial institutions for loan applications without the employers' knowledge or consent. In all three cases, the FDHs concerned contravened the relevant requirements of the Personal Data (Privacy) Ordinance (PDPO) by improperly using their employers' personal data.

Summary of the three cases (see Annex 1 for details)

All three complainants were employers of the FDHs concerned. The FDHs concerned applied for loans from financial institutions in the course of their employment. Subsequently, they defaulted on the repayments of their loans and were eventually dismissed by the complainants. In two of the cases, the complainants received WhatsApp messages and telephone calls from financial institutions regarding the FDHs' outstanding debts. In addition to requesting the complainants to remind the FDHs to repay the loans, one financial institution further stated that debt collector would be sent to the complainant's residence if repayments were not made by the specified deadline. In the third case, the complainant received, through the mailbox, overdue notices issued by two financial institutions to the FDH.

The three FDHs concerned admitted that they had provided the complainants' personal data to local or overseas financial institutions when applying for loans, with one FDH submitting loan applications to as many as four financial institutions. The employers' personal data involved included the employers' names, residential addresses and telephone numbers.

Results of Follow-up actions

Data Protection Principle (DPP) 3(1) of Schedule 1 to the PDPO stipulates that personal data shall not, without the prescribed consent of the data subject (namely, express consent voluntarily given by the data subject), be used (including disclosed or transferred) for a new purpose that is not related to the original purpose for which the data was collected.

In the above cases, having considered the circumstances of each case and the information obtained, the Privacy Commissioner for Personal Data (Privacy Commissioner), Ms Ada CHUNG Lai-ling, found that the FDHs concerned had contravened DPP 3(1) of the PDPO concerning the use (including disclosure) of personal data.

The Privacy Commissioner's Decisions

The Privacy Commissioner had issued warning letters to the FDHs concerned and requested them to strictly comply with the requirements of the PDPO relating to the use of personal data in the future.

Recommendations

Through the report, the Privacy Commissioner reminds FDHs and financial institutions of their responsibilities to safeguard employers' personal data privacy. If FDHs use their employers' personal data to apply for loans without the employers' knowledge or consent, unnecessary distress may be caused to the employers. FDHs must comply with the relevant requirements of the PDPO when using their employers' personal data. Meanwhile, financial institutions should remain vigilant and avoid the improper use of employers' personal data for the purpose of loan applications. The PCPD offers the following recommendations:

For FDHs

- **If FDHs are requested to provide the personal data of their employers or any other third parties during a loan application, FDHs should first ascertain whether the relevant information is necessary and not excessive; and**

- **FDHs must obtain the employers' voluntary and express prior consent if they intend to use the employers' personal data for loan applications or for any purposes unrelated to employment affairs. FDHs should not provide employers' personal data to financial institutions indiscriminately for the purpose of obtaining loans.**

For employers

- **Clearly inform their FDHs that the employers' personal data may only be used for purposes related to employment affairs and that FDHs should obtain the**

employers' prior consent before using their personal data for any other purpose; and

- **Exercise caution when handling documents submitted by FDHs for the employers' signatures. Before signing any document, employers should not only ascertain from the FDHs the purpose of signing the document, but also carefully review its contents in order to safeguard personal data privacy and their own interests.**

Ada CHUNG Lai-ling
Privacy Commissioner for Personal Data
25 August 2026

Annex 1

Summary of Three Cases Involving Improper Use of Employers' Personal Data by Foreign Domestic Helpers

Case (1)

The complainant received a WhatsApp message from an unknown source, and noted that the message related to the FDH employed by her. The complainant subsequently made enquiries with the FDH, who admitted that she had applied for a loan from a financial institution in the Philippines but was unable to repay the loan because of the high interest charged. The FDH also admitted that she had provided the complainant's telephone number to the financial institution as proof of her employment as a FDH in Hong Kong.

Subsequently, the complainant received another WhatsApp message from the financial institution, indicating that the FDH had used the complainant's residential address for the loan application. The financial institution not only requested the complainant to remind the FDH to settle the outstanding debt, but also stated that debt collectors would be sent to the complainant's residence if repayment was not made by the specified deadline. The FDH concerned was eventually dismissed by the complainant.

Case (2)

The complainant received several overdue payment notices addressed to his FDH from two financial institutions through the mailbox of his residence. The complainant subsequently discovered that the FDH had applied for loans from those financial institutions during her employment.

Upon enquiries by the complainant, the FDH concerned admitted that she had provided the employment contract containing the complainant's name and residential address to the financial institutions for the purpose of her loan applications without obtaining the complainant's consent. The complainant subsequently dismissed the FDH concerned.

Case (3)

During her employment, the complainant's FDH applied for loans from four financial institutions. Following her default on loan repayments, one of the financial institutions telephoned the complainant four times and sent her WhatsApp messages within the same day, requesting the complainant to remind the FDH to settle the outstanding debt.

The complainant subsequently questioned the FDH and discovered that the FDH had applied for loans from four financial institutions. The FDH also admitted that, in the course of applying for loans, she had provided complainant's personal data, including the complainant's telephone number and residential address, to a number of financial institutions. The complainant believed that her name was also included in the information disclosed. The complainant dismissed the FDH after learning the incident.

Outcome of Cases (1), (2) and (3)

The Privacy Commissioner, Ms Ada CHUNG Lai-ling, considered that the names, residential addresses and telephone numbers of the employers were originally obtained by the concerned FDHs solely for the purpose of establishing employment relationship and handling employment-related affairs with the employers. However, the concerned FDHs subsequently provided the employers' personal data to financial institutions for applying for loans, which went beyond the original purpose for which the data was collected (namely, the handling of employment-related matters). As such use was neither the original purpose nor a directly related purpose of data collection, the relevant disclosure constituted the use of the data for a new purpose. Given that the FDHs concerned did not obtain the complainants' express consent voluntarily given for such use, they had contravened the requirements of DPP 3(1) as regards the use (including disclosure) of personal data. As a result, the Privacy Commissioner issued warning letters to the FDHs concerned, requiring them to strictly comply with the requirements of the PDPO as regards the use of personal data in the future.