



## PRIVACY POLICY

This is the Privacy Policy of Open Invoice Finance Limited. It will inform you as to what data we collect from you if you engage us to act as a commercial finance broker on your behalf or contact us regarding our services. It will explain how we look after your personal data and what we do with it and it will explain your privacy rights and how the law protects you. It is important that you read this Privacy Policy, so you are fully aware of how and why we are using your data.

Open Invoice Finance Ltd respects your privacy and is committed to protecting your personal data. Any data we collect concerning you will only be processed in a way which complies with the Data Protection Act 1998 (DPA 1998) and the EU General Data Protection Regulation (GDPR) (the data protection law in the UK changed on 25<sup>th</sup> May 2018) which brings a requirement to document the processing activities undertaken which involves personal data by focussing on the rights individuals have regarding their personal data held by others.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your business relationship with us.

### Who we are:

Open Invoice Finance Ltd, a company registered in England and Wales under Company Number 08604631. Our company's registered address is 7 Sandy Court, Ashleigh Way, Plympton, Plymouth, PL7 5JX.

Open Invoice Finance Ltd is both the Data Controller and Data Processor and is responsible for your personal data. The Director of Open Invoice Finance Ltd is the 'legal' person responsible in respect of this Privacy Policy. It is they who determines the purposes for which data is processed and the way this is undertaken.

Processing data is defined as:

- Obtaining data
- Recording data
- Organising or altering data
- Disclosing data
- Erasing/deleting or destroying data

You have the right to make a complaint, at any time, to the Information Commissioner's Office (ICO) at [www.ico.org.uk](http://www.ico.org.uk) which is the UK independent authority set up to uphold information rights in the public interest and data privacy for individuals. We would, however, appreciate the chance to help you with your concerns before you approach the ICO so please contact us in the first instance.

Our full contact details are:

Full name of legal entity: Open Invoice Finance Limited

Name of person responsible: John Dodsworth (Director)

Postal address: Glendalough, 294 Canterbury Road, Herne, Kent, CT6 7HB

E-mail address: [john@openinvoicefinance.co.uk](mailto:john@openinvoicefinance.co.uk)

**What data we collect about you:**

Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you (the Data Subject) which can be grouped together, as follows, depending on whether you are someone working with us under a contract for services or, a business contact including persons who supply us with goods or services or, a client or potential client, being a company or other organisation who has approached us in order to instruct or potentially instruct our services or, any other data that potential funders (data processors) may require:

*Identity data* – which may include first name, maiden name, last name, marital status, title, job title, date of birth and gender.

*Contact data* – which may include your address, work address, e-mail address and telephone numbers.

*Financial Data* – to provide the relevant financial information to potential funders and may include bank account details.

*Technical data* – includes internet protocol (IP) address, login data, browser type and version, time zone setting and location, operating system and platform and other technology on the device(s) you use to access our website.

*Profile data* – includes your preferences, feedback.

*Usage data* – includes information about how you use our website, products and services.

*Marketing and communications data* – includes your preferences in receiving marketing from us and any third-party communication preferences.

**How we collect your data:**

We use different methods to collect data from and about you including through statistical data and personal data:

*Statistical data* - the statistical data includes your IP address as you browse our website. This information is purely for website statistics and does not tell us who you are and is only used to monitor the effectiveness of the site.

*Personal data* – is obtained from a variety of sources, from direct interactions with you as our client, you may give us your identity, contact and financial data by completing forms or by corresponding with us by post, phone or, e-mail. Additionally, we source data from online resources in the public domain and may also receive personal data about you from various third-parties including directors, shareholders and employees at any business or organisation you are associated with, together with credit reference agencies, public bodies or authorities.

**In the event you fail to provide your personal data:**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract or fulfil our legal obligations we have, or are trying to enter into, with you or, a person or organisation associated with you. In this case, we may have to cancel our service you have with us and will notify you that this is the case at the time.

**Purposes for which we will use your personal data:**

We will only use your personal data when the law allows us to. Generally, we will use, analyse and assess your personal data in the following circumstances:

- To provide you with information, products or services that you ask for.
- To let you know about other products and services that we think you might be interested in (if you have confirmed that you are happy to be contacted in this way).
- To make financial risk assessment, to prevent money laundering, fraud or other wrongdoing.
- To provide potential funders with relevant information to fulfil our contractual obligations with you.
- To identify you as a potential client.
- To recover monies due.
- Protecting our interests (including the provision of the information to third parties retained by us for them to conduct their services for us).
- To enter into or negotiate contracts, or to fulfil our legal and regulatory obligations.

In obtaining or storing information about you, we may:

- Store and process information including on our computers and in other ways.
- Search your record at a credit reference or fraud prevention agency of our choice. Details of our searches may be kept by such agency and may be seen by other organisations that make searches with the agency.
- Monitor and/or record telephone conversations with you for training and/or security purposes and to demonstrate our compliance with our legal obligations (including under the GDPR).
- Approach you for market research or direct marketing purposes.
- Seek and record any further information that we may require from any source, including banks for any of the purposes set out above.
- Transfer such of the information that we may have to potential funders.

Generally, we do not rely on consent as a legal basis for processing your personal data. If you do not want your data to be used by us, or selected third parties, please ensure you notify us of this.

Open Invoice Finance is a Data Controller working on its own behalf and its clients. We collect and process information based upon our legitimate interests which is to promote and support the business. When processing your personal data, we make sure to consider and balance any potential impact on you and your rights under data protection laws. Additionally, we fully comply with the Corporate Telephone Protection Service (CTPS).

We collect personal data to obtain funding options for you, to process your request, manage your account and assist with contractual support. We may process your personal data for more than one lawful ground depending on the specific purposes for which we are using your data. Set out below is a description of all the ways we may use your personal data and which of the legal bases we rely upon to do so. Our legitimate interests are also identified where appropriate.

	<b>Purpose/Activity</b>	<b>Type of Data</b>	<b>Lawful grounds for processing including basis of legitimate interest</b>
1.	To register your details on our system as a new client or funder	<ul style="list-style-type: none"> <li>▪ Identity</li> <li>▪ Contact</li> <li>▪ Financial</li> </ul>	<ul style="list-style-type: none"> <li>▪ Performance of a contract with you</li> <li>▪ Necessary for our legitimate interests</li> </ul>
2.	To process and deliver our service to you including: <ul style="list-style-type: none"> <li>▪ Carry out an initial discussion with you to determine your requirements</li> <li>▪ Carry out any introductions that you have agreed to</li> <li>▪ Maintain contact with you throughout the process to ensure you are satisfied</li> </ul>	<ul style="list-style-type: none"> <li>▪ Identity</li> <li>▪ Contact</li> <li>▪ Financial</li> <li>▪ Marketing and communications</li> </ul>	<ul style="list-style-type: none"> <li>▪ Performance of a contract with you</li> <li>▪ Necessary for our legitimate interests</li> </ul>
3.	To maintain our relationship with you which includes: <ul style="list-style-type: none"> <li>▪ Notifying you about changes to our Terms or Privacy Policy</li> <li>▪ Asking you to leave a review or take a survey</li> </ul>	<ul style="list-style-type: none"> <li>▪ Identity</li> <li>▪ Contact</li> <li>▪ Profile</li> <li>▪ Marketing and communications</li> </ul>	<ul style="list-style-type: none"> <li>▪ Performance of a contract with you</li> <li>▪ Necessary to comply with a legal obligation</li> <li>▪ Necessary for our legitimate interests</li> </ul>
4.	To administer and protect our business and this website, which may include financial risk assessment, preventing money laundering and contacting credit reference agencies	<ul style="list-style-type: none"> <li>▪ Identity</li> <li>▪ Contact</li> <li>▪ Financial</li> <li>▪ Technical</li> </ul>	<ul style="list-style-type: none"> <li>▪ Necessary for our legitimate interests</li> <li>▪ Necessary to comply with a legal obligation</li> </ul>

5.	To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	<ul style="list-style-type: none"> <li>▪ Identity</li> <li>▪ Contact</li> <li>▪ Profile</li> <li>▪ Usage</li> <li>▪ Marketing and communications</li> <li>▪ Technical</li> </ul>	▪ Necessary for our legitimate interests
6.	To use data analytics to improve our website, products and services, marketing, customer relationships and experiences	<ul style="list-style-type: none"> <li>▪ Identity</li> <li>▪ Usage</li> </ul>	▪ Necessary for our legitimate interests
7.	To make suggestions and recommendations to you about goods or services that may be of interest to you	<ul style="list-style-type: none"> <li>▪ Identity</li> <li>▪ Contact</li> <li>▪ Technical</li> <li>▪ Usage</li> <li>▪ Profile</li> </ul>	▪ Necessary for our legitimate interests

**Who your personal data is shared with:**

We may share your personal data with financial funders, as appropriate, professional advisers acting as data processors or data controllers including but not limited to finance companies, auditors, solicitors, insurers, accountants, HM Revenue & Customs, regulators, governments and other authorities and specific third-parties.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We only allow our third-party providers to use your personal data for specified purposes in accordance with our instructions. We will always maintain control over the confidentiality of your information. However, we can disclose your information to authorised parties if we are required to do so by law.

**Data security:**

We take appropriate security measures to ensure any information you provide to us is stored securely and confidentially. We do this to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Your personal data is not processed except in accordance with the DPA and GDPR. Access to your personal data by third parties is on a business need to know basis and they will only process your personal data on our instructions and are subject to a duty of confidentiality.

**Data retention:**

Under the GDPR we will only retain your personal data for as long as is necessary to fulfil the purposes we collected it for, including to satisfy any legal, accounting or reporting requirements. We are required to ensure any personal data we hold is kept no longer than is necessary for the purposes we use it for. To determine the appropriate retention period we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means and the applicable legal requirements.

**Your legal rights:**

Under DP and GDPR laws you have rights regarding your personal data held by us including:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to request a transfer

You have a right to be informed by us about the collection and use of the personal data we hold on our records about you.

You have a right of access to information we hold on our records about you (data subject access request). The DPA allows us to charge a fee for this service. If you wish to access the personal data we hold about you please contact us at [john@openinvoicefinance.co.uk](mailto:john@openinvoicefinance.co.uk) to request access. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

You have a right to request rectification of the personal data that we hold about you. This enables you to have any incomplete or inaccurate personal data we hold about you corrected. We may need to verify the accuracy of the new data you provide to us.

You have a right to have your personal data erased if it is no longer necessary for the purposes we have processed it. Where we have used your personal data only by your consent and you have withdrawn your consent. You have the right to ask us to delete or remove your personal data if we have unlawfully used your data or where we are required to erase your personal data to comply with law. Note, however, that we may not always be able to comply with your request of erasure for legal reasons which will be notified to you, if applicable, at the time of your request.

You have a right to restrict processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: a) if you want us to establish the accuracy of the data; b) where our use of the data is unlawful, but you do not want us to erase it; c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or d) you have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.

You have a right to object to any processing we undertake of your personal data where we are relying on a legitimate interest (or those of a third party) as the legal basis for our use of your data, on grounds related to your own personal situation as you feel it impacts on your fundamental rights and freedoms. Similarly, you have a right to tell us not to process your personal data for direct marketing purposes.

You have a right to request a transfer of your personal data to you, or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine readable format. This right only applies to automated information (so, not personal data we hold on paper or another durable medium) you provided directly to us to use or where we used the information to perform a contract with you. We will try to respond to all legitimate requests within a timely manner (one month). On occasion, it may take longer than one month. In this instance, we will notify you and keep you updated.

#### **Updates to this Privacy Policy:**

We reserve the right to update our Privacy Policy at any time. We suggest that you read this document each time you use our website to ensure it still meets with your approval. Should you disagree with any changes made you may withdraw your consent at any time by contacting us.

Registered address: Open Invoice Finance Limited - 7 Sandy Court, Ashleigh Way, Plympton, Plymouth, PL7 5JX