

## **Smartr365 Finance Ltd Privacy Policy for Business Professionals**

Smartr365 Finance Ltd fully respects your right to privacy. We want you to understand the terms and conditions surrounding the capture, use and processing of any information we gather about users.

This policy tells you how we collect and process your personal information. Please take a few minutes to read it and show it to anyone else connected to the business relationship. This policy may be subject to future change.

### **WHAT DOES THIS POLICY COVER?**

This privacy policy relates to individuals working for/as businesses who enter into agreements with us (e.g. intermediaries, brokers, introducers). We have a separate privacy policy for end customers, which can be found here: <https://www.smartr365.com/privacy-policy>

### **WHAT IS PERSONAL INFORMATION?**

When we talk about personal information, we mean information about an individual that can identify them, like their name, address, e-mail address, telephone number and financial details. Any reference to "information" or "data" in this policy is a reference to personal information about a living individual.

### **WHAT INFORMATION DO WE HOLD?**

We may collect and process the following personal information about you. In most cases the information we process will be limited to business information that relates to you, that impacts our products and services and how we manage our relationship, for example:

<b>Type of data</b>	<b>Description</b>	<b>Examples of how we use it</b>
Contact	<ul style="list-style-type: none"><li>• Who you are</li><li>• Where you live</li><li>• How to contact you</li></ul>	<ul style="list-style-type: none"><li>• Managing and servicing our business relationship</li><li>• Business to business marketing</li><li>• Analysis</li><li>• Enhancing our product and service offering</li></ul>
Personal Details	<ul style="list-style-type: none"><li>• Age</li><li>• Gender</li><li>• Family details</li><li>• Visual images &amp; personal appearance</li><li>• Financial details</li><li>• Lifestyle and social circumstances</li></ul>	<ul style="list-style-type: none"><li>• Managing and servicing our business relationship</li><li>• Business to Business marketing</li><li>• Analysis</li></ul>
Transactional	<ul style="list-style-type: none"><li>• How you may use our products and services</li></ul>	<ul style="list-style-type: none"><li>• Managing and servicing our business relationship</li><li>• Making sure our products and services are fit for purpose</li><li>• Analysis</li><li>• Enhancing our product and service offering</li></ul>

Type of data	Description	Examples of how we use it
Contractual	<ul style="list-style-type: none"> <li>Your creditworthiness (if applicable)</li> </ul>	<ul style="list-style-type: none"> <li>Managing and servicing our business relationship</li> </ul>
Preferences	<ul style="list-style-type: none"> <li>Ways you want us to market to you</li> </ul>	<ul style="list-style-type: none"> <li>Business to business marketing</li> </ul>
Technical	<ul style="list-style-type: none"> <li>Details on the devices and technology you use</li> </ul>	<ul style="list-style-type: none"> <li>Making sure our products and services are fit for purpose</li> </ul>
Open data & public records	<ul style="list-style-type: none"> <li>Other information about you that is openly available on the internet</li> </ul>	<ul style="list-style-type: none"> <li>Managing and servicing our business relationship</li> <li>Business to business marketing</li> </ul>
Documentary data & national identifiers	<ul style="list-style-type: none"> <li>Company details</li> <li>National Insurance number</li> </ul>	<ul style="list-style-type: none"> <li>Managing and servicing our business relationship</li> <li>Compliance with statutory regulations and to prevent financial crime</li> </ul>

### **WHERE DO WE GET OUR INFORMATION FROM?**

- **Information you give us directly (when you fill in forms or contact us by phone, e-mail etc.).**
- **Information we collect about you or receive from other sources.** This could be information you provide to us electronically (through our website or an online portal, for example), information we get from a third party or from publicly available sources such as regulatory bodies (e.g. FCA, Companies House etc.). For more information on how we use cookies, please check our cookie policy.

### **HOW DO WE USE YOUR INFORMATION?**

We use personal information that we hold about you:

- To carry out our responsibilities resulting from any business or commercial agreements you've entered into with us and to provide you with the information, products and services that you've asked from us.
- To provide you with business to business marketing information about services and products we offer which may be of interest to you.
- To tell you about changes to our services and products.
- To comply with any applicable legal or regulatory requirements (including to comply with any applicable regulatory reporting or disclosure requirements).
- For carrying out market research, statistical analysis to help us to improve our processes, products and services and generate new business (e.g. to understand digital behaviours, identify financial attitudes and develop more engaging communications).
- To run our business in an efficient and proper way. This includes testing our systems, managing our financial position, business capability, planning, communications, corporate governance, and audit.
- For any other purpose that we've agreed with you from time to time.

## **USING YOUR INFORMATION IN ACCORDANCE WITH DATA PROTECTION LAWS**

Data protection laws require us to meet certain conditions before we're allowed to use your personal information in the way we describe in this privacy policy. We take these responsibilities extremely seriously. To use your personal information, we'll rely on the following conditions, depending on the activities we're carrying out:

- **Providing our contracts & services to you:** We'll process your personal information to carry out our responsibilities resulting from any commercial agreements or contracts you've entered into with us and to provide you with the information, products and services you've asked from us, which may include online services.
- **Complying with applicable laws:** We may process your personal information to comply with any legal obligation we're subject to.
- **Legitimate interests:** To use your personal data for any other purpose described in this privacy policy, we'll rely on a condition known as "legitimate interests". It's in our legitimate interests to collect your personal data as it provides us with the information that we need to provide our services to you more effectively. We may use your information to:
  - Carry out market research and product development.
  - We may provide you with business to business marketing information about our services or products. You may object to this type of marketing at any time by e-mailing or telephoning us.
  - Develop and test the effectiveness of marketing activities.
  - Develop, test and manage our brands, products and services.
  - Study and also manage how our professional business clients use products and services from us and our business partners.
  - Manage risk for us and our retail customers.

This requires us to carry out an assessment of our interests in using your personal data against the interests you have as a citizen and the rights you have under data protection laws.

The outcome of this assessment will determine whether we can use your personal data in the ways described in this privacy policy. We'll always act reasonably and give full and proper consideration to your interests in carrying out this assessment.

**Consent:** We may process your personal information for different purposes where you've provided your consent to do so (e.g. Refer a Broker scheme, collecting your preferences when we plan and host conferences and seminars).

**Criminal Conviction Data:** We may process this type of information solely for the purpose of preventing fraud.

Please be aware that the personal information you provide to us, and which we collect about you, is required for us to be able to provide our services to you and without it we may not be able to do so.

## **HOW LONG DO WE KEEP YOUR INFORMATION FOR?**

We'll keep your personal information in accordance with our internal retention policies. We'll determine the length of time we keep it for based on the minimum retention periods required by law or regulation. We'll only keep your personal information after this period if there's a legitimate and provable business reason to do so.

## **WHO DO WE SHARE YOUR PERSONAL INFORMATION WITH?**

We'll only disclose your information to:

- Other companies within the Group, third-party suppliers, contractors and service providers for the purposes listed under “**How do we use your information**” above. These third parties have access to your Personal Data only to perform specific tasks on our behalf and are obligated not to disclose or use it for any other purpose.
- Our regulators, government (e.g. HMRC) and law enforcement or fraud prevention agencies.

Additionally, we may disclose your personal information to third parties:

- In the event that we sell or buy any business or assets, in which case we’ll disclose your personal data to the prospective seller or buyer of such business or assets.
- If we, or substantially all of our assets, are acquired by a third party, in which case personal data held by us about our professional business clients will be one of the transferred assets.
- In order to enforce or apply the terms of any contract with you.
- If we’re under a duty to disclose or share your personal data in order to comply with any legal obligation or regulatory requirements, or otherwise for the prevention or detection of fraud or crime.
- To protect you and us from financial crime, we may be required to verify the identity of new and sometimes existing professional business clients. This may be achieved by using reference agencies to search sources of information relating to you (an identity search). This will not affect your credit rating. If this fails, Legal & General may need to approach you to obtain documentary evidence of identity.
- In accordance with the terms of business agreement, we may perform credit checks on certain types of professional business clients (e.g. directors of intermediary firms).

### **LINKS TO OTHER SITES**

Our Service may contain links to other sites that are not operated by us. If you click on a third party link, you will be directed to that third party’s site. We strongly advise you to review the Privacy Policy of every site you visit. We have no control over and assume no responsibility for the content, privacy policies or practices of any third party sites or services.

### **FRAUD PREVENTION**

We may need to check your details with fraud prevention agencies (e.g. we have to screen at firm and director level of anyone we remunerate). If false or inaccurate information is provided and fraud is identified details will be passed to fraud prevention agencies. Law enforcement agencies may access and use this information. We may also share information about you with other organisations and public bodies, including the police and we may check and/or file your details with fraud prevention agencies and databases.

Other organisations may also access and use this information to prevent fraud and money laundering, for example, when:

- Checking details on applications for credit and credit related or other facilities.
- Managing credit and credit related accounts or facilities.
- Recovering debt.
- Checking details on proposals and claims for all types of insurance.
- Checking details of professional business clients, job applicants and employees.

### **TRANSFERRING YOUR DATA OUTSIDE THE EU**

The data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area (“EEA”) to third-party suppliers, delegates or agents. We’ll take all reasonably necessary steps to make sure that your data is treated securely and in accordance with this Privacy Policy.

We'll only transfer your data to a recipient outside the EEA where we're permitted to do so by law (for instance, (A) where the transfer is based on standard data protection clauses adopted or approved by the European Commission, (B) where the transfer is to a territory that is deemed adequate by the European Commission, or (C) where the recipient is subject to an approved certification mechanism and the personal information is subject to appropriate safeguards, etc.).

Unfortunately, sending information via e-mail is not completely secure; anything you send is done so at your own risk. Once received, we will secure your information in accordance with our security procedures and controls.

## **YOUR RIGHTS**

You have rights under data protection law that relate to the way we process your personal data. More information on these rights can be found on the Information Commissioner's website. If you wish to exercise any of these rights, please get in touch with us.

### **Your rights**

1. The right to access the personal data that we hold about you.
2. The right to make us correct any inaccurate personal data we hold about you
3. The right to make us erase any personal data we hold about you. This right will only apply where for example:
  - We no longer need to use the personal data to achieve the purpose we collected it for
  - You withdraw your consent if we're using your personal data based on that consent
  - Where you object to the way we use your data, and there is no overriding legitimate interest
4. The right to restrict our processing of the personal data we hold about you. This right will only apply where for example:
  - You dispute the accuracy of the personal data we hold
  - You would like your data erased, but we require to hold it in order to stop its processing
  - You have the right to require us to erase the personal data but would prefer that our processing is restricted instead
  - Where we no longer need to use the personal data to achieve the purpose, we collected it for, but you need the data for legal claims.
5. The right to object to our processing of personal data we hold about you (including for the purposes of sending marketing materials to you).
6. The right to receive personal data, which you have provided to us, in a structured, commonly used and machine-readable format. You also have the right to make us transfer this personal data to another organisation.
7. The right to withdraw your consent, where we're relying on it to use your personal data.

## **CONTACTS AND COMPLAINTS**

If you have any questions about this privacy policy or wish to exercise any of your rights, please get in touch.

If you have any concerns about the way we process your personal data, or are not happy with the way we've handled a request by you in relation to your rights, you also have the right to make a complaint to the Information Commissioner's Office. Their address is:

**First Contact Team  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF**