Bizcap Website privacy policy (UK)

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PRIVACY POLICY

Introduction

This privacy policy sets out how Bizcap Limited trading as Bizcap UK uses and protects your personal data. This privacy policy is provided in a layered format so you can click through to the specific areas set out below. Alternatively, you can download a copy of the policy here: [LINK].

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1. Important information and who we are

Privacy policy

This privacy policy gives you information about how Bizcap collects and uses your personal data when you use this website, apply for or receive a product or service, act as a guarantor, make ongoing payments, contact us by phone or email, or work for or represent a broker, introducer, intermediary or other business partner.

This website is not intended for children and we do not knowingly collect data relating to children.

Controller

Bizcap Limited trading as Bizcap UK is the controller and responsible for your personal data (collectively referred to as "Bizcap", "we", "us" or "our" in this privacy policy).

Data Protection Officer

The Data Protection Officer for the Controller can be contacted by email at *privacy@bizcap.co.uk*.

2. The types of personal data we collect about you

Personal data means any information about an individual from which that person can be identified.

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

Call Recording Data includes audio recordings of telephone calls and, where created, transcripts of those calls, together with related information such as the date and time of the call and the participants in the call.

Contact Data includes email address, postal address; mobile and telephone numbers and, where you work for or represent a broker, introducer, intermediary or other business partner, your job title and employer or organisation.

Identity Data includes first name, last name, any previous names, date of birth; nationality, citizenship status, politically exposed person (PEP) status, information about your identity provided by identity documents you submit such as passport and drivers licence numbers and copies of such documents.

Financial Data includes bank account details, bank transactions & live access to bank statements; tax details; homeownership; credit reports; company directorship and shareholding; business name; details about your financial situation, which may include information about income, assets, expenses and any debts may have (including by the collection of bank statements, credit report information and payments history); details of any securities given to us or another person; information about a business you are involved in, including its size and business type; details of your loan with us including the date, due date, date of repayment, date of default, loan balance, repayment period, missed payments and defaults; and details of specified transactions with which you are involved.

Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.

Profile Data includes your username and password.

Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, device ID and other technology on the devices you use to access this website.

Transaction Data includes details about payments to and from you and other details of products and services you have purchased from us.

Usage Data includes information about how you interact with and use our website, products and services.

We also collect, use and share aggregated data such as statistical or demographic data which is not personal data as it does not directly (or indirectly) reveal your identity. For example, we may aggregate individuals' Usage Data to calculate the percentage of users accessing a specific website feature in order to analyse general trends in how users are interacting with our website to help improve the website and our service offering.

3. How is your personal data collected?

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

Your interactions with us. You may give us your personal data by filling in online forms or by corresponding with us by post, phone, email or otherwise. The personal data we collect from you may be collected through various means including:

- from an application form completed by you or from information provided to us by a person or by a person seeking finance from Bizcap for our products or services;
- from information you provide to us, or our agents via an application programming interface (API) or email; and
- from information and referrals provided by our business partners via an API or email.

Automated technologies or interactions. As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details.

Third parties or publicly available sources. We will receive personal data about you from various third parties and public sources as set out below:

- Financial Data is collected from publicly available sources such as Companies House and HM Land Registry.
- Contact, Identity and Financial Data is collected from credit reference agencies such as Experian and CreditSafe.
- Financial and Transaction Data is collected from banks and providers of technical, payment and delivery services.
- Identity, Contact and Financial Data is collected from data brokers or aggregators and other lenders.
- Identity and Contact Data relating to individuals who work for or represent brokers, introducers, intermediaries or other business partners may be collected from their employer or organisation, other business contacts, correspondence and publicly available professional sources.

4. How we use your personal data

Legal basis

The law requires us to have a legal basis for collecting and using your personal data. We rely on one or more of the following legal bases:

Performance of a contract with you: Where we need to perform the contract we are about to enter into or have entered into with you.

Legitimate interests: We may use your personal data where it is necessary to conduct our business and pursue our legitimate interests, for example to prevent fraud and enable us to give you the best and most secure customer experience. We make sure we consider and balance any potential impact on you and your rights (both positive and negative) before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).

Legal obligation: We may use your personal data where it is necessary for compliance with a legal obligation that we are subject to. We will identify the relevant legal obligation when we rely on this legal basis.

Consent: We rely on consent only where we have obtained your active agreement to use your personal data for a specified purpose, for example if you subscribe to an email newsletter.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use the various categories of your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Purpose/Use	Type of data	Legal basis and retention period
To process your loan application The purposes for which we use the information: *to assess and process your request for the provision of a loan to you or entity connected with you. identify you; comply with our Anti-Money Laundering & KYC obligations; conduct appropriate due diligence or establish your tax status under any local or foreign legislation, regulation or treaty or pursuant to an agreement with any tax authority.*	(a) Identity (b) Contact (c) Financial	(a) Necessary for our legitimate interest (to process your loan application) (b) Contract (prerequisite before entering into a loan or guarantee contract with you) (c) Legal compliance (Anti-Money Laundering & KYC obligations)

To carry out a credit assessment. **The purposes for which we use the information:** *assess and process your request and application for a financial product or service including an assessment of your creditworthiness via data we collect from you and credit information we receive from* credit reference agencies (**CRA**s) such as Experian and CreditSafe. This may include carrying out hard credit searches as part of your application. A hard credit search is recorded on your credit file, leaves a search footprint visible to other lenders and may affect your credit score and your ability to obtain credit in the future. We set out below in a separate paragraph after this table further information regarding CRAs including our reciprocal sharing relationship with Experian which means that we will also continue to exchange information about you with CRAs on an ongoing basis, including about your settled accounts and any debts not fully repaid on time; and/or *assess a person's suitability as a guarantor or potential guarantor.*	(a) Identity (b) Financial (c) Contact	(a) Necessary for our legitimate interests (to ensure we offer you an appropriate product) (b) Contract (prerequisite before entering into a loan or guarantee contract with you) We will retain this data for 7 years post end of customer relationship
Loan Administration - to manage our relationship with you by managing loan accounts The purposes for which we use the information: *open and maintain a business loan account for you, or the account of a person or entity connected with you;* *complete and manage our transactions with you including*	(a) Identity (b) Contact (c) Financial (d) Transaction	Performance of a contract with you (in setting up the loan account and documentation; advancing the funds; processing the contractual direct debit repayments) We will retain this data for 7 years post end of customer relationship

by deducting periodic payments due; *communicate with you to send confirmations and to send account update notifications; and/or* *manage our relationship with you or a person or entity connected with you and respond to requests received from you.*		
To recover money owed to us (Collections and defaults) The purposes for which we use the information: *engage in recovery and collection activity where there has been a default under a loan agreement.*	(a) Identity (b) Contact (c) Financial (d) Transaction	Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy; and/or (b) Dealing with your requests, complaints and queries.	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Necessary to comply with a legal obligation (b) Necessary for our legitimate interests (to keep our records updated and manage our relationship with you) (c) Performance of a contract with you
To record telephone calls with customers, potential customers, guarantors and other persons who communicate with us in order to monitor and improve service quality, train staff, maintain an accurate record of communications, prevent and detect fraud, handle complaints and establish, exercise or defend legal claims. You will be	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Call Recording	Necessary for our legitimate interests (to maintain service quality, train staff, keep accurate records, prevent and detect fraud, resolve disputes and protect our legal rights). Recordings are normally retained for up to six months but may be retained for longer where necessary in connection with fraud prevention, a complaint, legal claims or compliance with legal obligations.

informed when a call is being recorded.		
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content and online advertisements (including direct marketing & our Bizcap blog) to you and measure or understand the effectiveness of the advertising we serve to you.	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To share limited Identity Data and Contact Data with selected business finance brokers and other lenders so that they may contact you directly about business finance products or services that we reasonably believe may be relevant to your business. We do not share Financial Data for this purpose.	(a) Identity (b) Contact (c) Marketing and Communications	Necessary for our legitimate interests and the legitimate interests of the recipients (to enable businesses to receive information about potentially relevant business finance options and to develop our and their businesses)
To use data analytics to improve our website, products/services, customer relationships and experiences and to measure the effectiveness of our communications and marketing.	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To establish and manage relationships with brokers, introducers, intermediaries and other business partners, including onboarding and due diligence, communicating about applications and referrals,	(a) Identity (b) Contact	(a) Necessary for our legitimate interests (to operate and develop our broker and referral relationships, communicate with business contacts and administer our business).

administering commissions and responding to enquiries.		(b) Performance of a contract, where you enter into a contract with us in your personal capacity.

Credit reference agencies

Credit reference agencies (CRAs) hold databases of debts and payments on products offered to consumers and businesses that relate to financial commitments. These will include credit agreements such as mortgages, loans, credit cards or current accounts, and commitments such as telephone agreements, energy and water utilities. The information held by CRAs, including Financial Information that we may share with them, may be shared with other businesses that you may seek to deal with in the future, such as a bank or credit card provider. This information may impact whether those businesses will choose to provide you with the requested services and may affect your credit score and your ability to obtain credit in the future.

In order to assess your credit worthiness as part of your application for a loan we use the credit information available from the CRAs detailed below to assist us in assessing your application for a loan and whether we should offer you an appropriate product. Depending on the stage of your application and the product, these checks may include a “hard” credit search, which is recorded on your credit file, leaves a search footprint visible to other lenders and may affect your credit score and your ability to obtain credit in the future (for example if you make multiple applications for credit in a short period of time). We will not carry out a hard credit search without having informed you as part of your application process that such a search will take place. We will also continue to exchange information about you with CRAs on an ongoing basis, including about your settled accounts and any debts not fully repaid on time. CRAs will share your information with other organisations. For contact details and information as to how these agencies manage credit information, please see their policies available on the following links:

Experian Ltd

www.experian.co.uk/crain

Credit Safe Business Solutions Limited

https://www.creditsafe.com

Direct marketing

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and you have not opted out of receiving the marketing.

We may also analyse your Identity, Contact, Technical, Usage and Profile Data to form a view which product, services and offers may be of interest to you so that we can then send you relevant marketing communications.

Marketing by selected brokers and other lenders

We may share limited Identity Data, such as your name and business name, and your Contact Data with selected business finance brokers and other lenders so that they may contact you directly about business finance products or services that we reasonably believe may be relevant to your business. We do not share your Financial Data with them for this purpose. We rely on our legitimate interests and the legitimate interests of those recipients in enabling businesses to receive information about potentially relevant business finance

options and in developing our and their businesses. Each recipient acts as an independent controller in relation to its own processing and direct marketing activities.

Any direct marketing contact by a recipient must be made in accordance with applicable direct marketing laws. You may object at any time to our sharing your personal data for this purpose by contacting us at support@bizcap.co.uk. We will then stop making further disclosures of your personal data for this purpose.

Opting out of marketing

You can ask to stop sending you marketing communications at any time by following the opt-out links within any marketing communication sent to you or by contacting us.

If you opt out of receiving marketing communications, you will still receive service-related communications that are essential for administrative or customer service purposes.

Cookies

For more information about the cookies, we use and how to change your cookie preferences, please see our cookie policy.

5. Disclosures of your personal data

We may share your personal data where necessary with the parties set out below for the purposes set out in the table Purposes for which we will use your personal data above.

Internal Third Parties such as our related companies.

External Third Parties such as the credit reference agencies detailed above, our business partners, service providers, subsidiaries and affiliates, other financial institutions that are assisting in the review or processing of a credit application with which you are connected or in connection with your dealings with us or with the provision of our services, such as by providing data storage and other similar services; our agents, the person who introduced you to us, contractors or other third-party service providers, to enable them to provide administrative and other support services to us; credit providers; your authorised agents or executor, administrator or legal representative; government agencies and regulatory bodies as part of our statutory obligations, or for law enforcement purposes; debt collection agencies, lawyers or insolvency professionals as well as other creditors for the purpose of conducting the collection and recovery of outstanding debt.

Selected business finance brokers and other lenders, acting as independent controllers, so that they may contact you directly about business finance products or services that may be relevant to your business. For this purpose, we disclose only limited Identity Data and Contact Data and do not disclose Financial Data.

Sharing with business partners that referred you to us: Where a business partner has referred you to us and you have an existing business relationship with that partner, the following applies. Our business partners refer your details to us for the purpose of inviting you to apply for a business loan. If you apply for a loan, we will disclose certain personal information (including credit-related personal information) and business-related information to the relevant business partner. The information we disclose to the business partner is collected by us during the application process, and in servicing your loan. Our business partners use this information for the purposes of internal reporting, assessing and improving the customer experience, and for marketing and promotional activities. The types of information we typically share with the relevant business include the following:

- the name of the business and contact details;
- whether we approved or declined the loan, the loan amount and term;

- assets reported, liabilities, and turnover; and
- details about failed or late payments, and arrears.

Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers acting as processors on our behalf to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions. This does not apply to third parties that act as independent controllers, including the selected brokers and other lenders described above. Such recipients determine their own purposes and means of processing and are responsible for complying with applicable data protection and direct marketing laws.

6. International transfers

We share your personal data with our offices in Australia. This will involve transferring your data outside the UK to our overseas offices in Australia and the data is accessed only by the Bizcap employees.

Whenever we transfer your personal data out of the UK to countries which have laws that do not provide the same level of data protection as the UK law, we always ensure that a similar degree of protection is afforded to it by ensuring that the appropriate safeguards are implemented.

We may transfer your personal data to service providers that carry out certain functions on our behalf. This may involve transferring personal data outside the UK to countries which have laws that do not provide the same level of data protection as the UK law. Whenever we transfer your personal data out of the UK to service providers, we ensure a similar degree of protection is afforded to it by ensuring that the following appropriate safeguards are in place: -

- We will only transfer your personal data to countries that have been deemed by the UK to provide an adequate level of protection for personal data, OR
- We may use specific standard contractual terms approved for use in the UK which give the transferred personal data the same protection as it has in the UK.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK.

7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

8. Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements.

We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, 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, regulatory, tax, accounting or other requirements.

In some circumstances you can ask us to delete your data: see paragraph 9 below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

9. Your legal rights

You have a number of rights under data protection laws in relation to your personal data.

You have the right to:

Request access to your personal data (commonly known as a "subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data in certain circumstances. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) as the legal basis for that particular use of your data (including carrying out profiling based on our legitimate interests). In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your right to object.

You also have the absolute right to object any time to the processing of your personal data for direct marketing purposes (see OPTING OUT OF MARKETING in paragraph 4 for details of how to object to receiving direct marketing communications).

Request the 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. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data (see the table in section 4 for details of when we rely on your consent as the legal basis for using your data). However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in one of the following scenarios:

- If you want us to establish the data's accuracy;
- Where our use of the data is unlawful but you do not want us to erase it;
- 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
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

If you wish to exercise any of the rights set out above, please contact us via email at *support@bizcap.co.uk*. No fee usually required.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

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. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. Contact details

If you have any questions about this privacy policy or about the use of your personal data or you want to exercise your privacy rights, please contact us at *support@bizcap.co.uk* or contact our data protection officer directly using the contact details set out above.

11. Complaints

If you are unhappy with how we use your personal information, please raise your data protection complaint with us first by contacting us at privacy@bizcap.co.uk.

We will acknowledge your complaint within 30 days, review it, keep you informed where appropriate, and tell you the outcome without undue delay.

If you are not satisfied with our response, or if you believe we have not handled your complaint appropriately, you may complain to the UK Information Commissioner's Office (ICO). The ICO will usually expect you to raise your concern with us before it considers the matter.

12. Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review.

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 relationship with us, for example a new address or email address.

13. Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.