

Privacy Policy



– June 2020

First Merchant Finance Plc lends exclusively to established UK registered limited companies. We work with the Directors of these limited companies in order to transact business loans. This Privacy Policy explains how we may gather and use Personal Data.

General Data Protection Regulation (GDPR) Update to Privacy Policy

We keep our privacy policy under regular review and we will, from time to time, provide any updates which are applicable.

We will not share information about you with third parties without your consent unless the law allows or requires us to.

If you would like to find out more about how we use your personal data or want to see a copy of information about you (we may make a small charge for this service) that we hold, then you should contact The Directors by email, at finance@firstmerchant.co.uk.

Website and Mailing list signups

By 'opting-in' to our mailing list you have agreed to receive email marketing communications from us in the form of updates and event invitations. You are free to unsubscribe from our mailing list at any time, simply use the 'unsubscribe' button on our marketing emails.

When signing up for our email communications via our website, or via email marketing platforms such as Mailchimp, we require your name and email address to ensure accuracy of delivery. We will never share or sell your personal data or use it for any other purposes besides email marketing. All of your data will only be stored by us online.

Your privacy is paramount to us and the removal or 'unsubscribe' of a user will be added to a suppression list which will stop us from reaching the user's email address. This will ensure that you will not be communicated by us again until requested via an 'opt-in' form. We will do our utmost to ensure that you never receive unwanted marketing emails from First Merchant.

The following are basic questions you may have about our Privacy Notice.

What is the GDPR?

The GDPR is a regulation intended to strengthen and unify data protection for everyone within the European Union (EU). The GDPR requires greater openness and transparency from companies on how they collect, store and use personal data.

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Why are we updating our Privacy Notice?

We now meet the high standards required by the European Union's General Data Protection Regulation (GDPR) and have updated our Privacy Notice to reflect that.

What information do we collect about you?

We collect your name, your business name, your email address, your business postal address and business telephone numbers.

Why do we need your information?

We use data to provide you with the best experience from services we offer and to communicate with you as a business professional.

How is your information used?

We use data for the following purposes:

- ▶ Transacting business
- ▶ Customer Service support
- ▶ Dispute Resolution
- ▶ Communication and Marketing

Do you ever sell or share information to third parties?

No. We never have. And we never will.

To stop receiving marketing emails from First Merchant, simply send a brief request to finance@firstmerchant.co.uk

Why should you read this document?

During the course of dealing with us, we will ask you to provide us with detailed personal information such as your existing circumstances, your financial situation, your employment and company directorships (Your Personal Data). This document is important as it allows us to explain to you what we will need to do with Your Personal Data, and the various rights you have in relation to Your Personal Data.

What do we mean by “Your Personal Data”?

Your Personal Data means any information that describes or relates to your personal circumstances. Your Personal Data may identify you directly, for example, by your name, address, date of birth or national insurance number.

In the context of providing you with assistance in relation to your Business Finance requirements Your Personal Data may include:

- ▶ Title, name, date of birth, gender, nationality, civil/marital status, contact details, addresses and documents that are necessary to verify your identity
- ▶ Employment and remuneration information, (including salary/bonus schemes/overtime/sick pay/other benefits), employment history
- ▶ Bank account details, tax information, loans and credit commitments, personal credit history, sources of income and expenditure, family circumstances and details of dependents
- ▶ Any pre-existing Finance and/or Insurance products and the terms and conditions relating to these

The basis upon which our firm will deal with Your Personal Data

When we speak with you about your Business Finance requirements we do so on the basis that both parties are entering a contract for the supply of services.

In order to perform that contract, we have the right to use Your Personal Data for the purposes detailed below.

Alternatively, either in the course of initial discussions with you or when the contract between us has come to an end for whatever reason, we have the right to use Your Personal Data provided it is in our legitimate business interest to do so and your rights are not affected. For example, we may need to respond to requests from mortgage lenders, solicitors, insurance providers or our Compliance Service Provider relating to our dealings with you, or to make contact with you to seek feedback on the service you received.

On occasion, we will use Your Personal Data for contractual responsibilities we may owe our regulator, The Financial Conduct Authority, or for wider compliance with any legal or regulatory obligation to which we might be subject. In such circumstances, we would be processing Your Personal Data in order to meet a legal, compliance or other regulatory obligation to which we are subject.

How do we collect Your Personal Data?

We will collect and record Your Personal Data from a variety of sources, but mainly directly from you. You will usually provide information during the course of our initial meetings or conversations with you to establish your circumstances and needs and preferences in relation to Business Finance. You will provide information to us verbally and in writing, including email.

We may also obtain some information from third parties, for example, credit checks and searches of information in the public domain such as the voters roll. We may use technology solutions to assist in the collection of Your Personal Data (for example, using software that is able to verify your credit status).

What happens to Your Personal Data when it is disclosed to us?

In the course of handling Your Personal Data, we will:

- ▶ Record and store Your Personal Data in our paper files, mobile devices and on our computer systems (websites, email, hard drives, and cloud facilities). This information can only be accessed by employees and consultants within our firm and only when it is necessary to provide our service to you and to perform any administration tasks associated with or incidental to that service.
- ▶ Submit Your Personal Data to Business Assessors, Insurance Brokers, Business Surveyors, Solicitors both in paper form and on-line. The provision of this information to a third party is essential in allowing us to progress any enquiry or application made on your behalf and to deal with any additional questions or administrative issues.
- ▶ Use Your Personal Data for the purposes of responding to any queries you may have in relation to any Business Finance facilities you may be granted or to inform you of any developments in relation to those products and/or policies of which we might become aware.

Sharing Your Personal Data

From time to time Your Personal Data will be shared with:

- ▶ Financial Services Providers and Fraud Agencies.
- ▶ Third parties who we believe will be able to assist us with your enquiry or application, or who are able to support your needs as identified. These third parties will include but may not be limited to, our compliance advisers, product specialists, surveyors and business appraisal agents, solicitors, accountants.

In each case, Your Personal Data will only be shared for the purposes set out in this Customer Privacy Notice, i.e. to progress your Business Finance enquiry and to provide you with our professional services.

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Please note that this sharing of Your Personal Data does not entitle such third parties to send you marketing or promotional messages: it is shared to ensure we can adequately fulfil our responsibilities to you, and as otherwise set out in this Customer Privacy Notice.

We do not envisage that the performance by us of our service will involve Your Personal Data being transferred outside of the European Economic Area.

Security and retention of Client's Personal Data

Your privacy is important to us and we will keep your Personal Data secure in accordance with our legal responsibilities. We will take reasonable steps to safeguard your Personal Data against it being accessed unlawfully or maliciously by a third party.

We also expect you to take reasonable steps to safeguard your own privacy when transferring information to us, such as not sending confidential information over unprotected email, ensuring email attachments are password protected or encrypted and only using secure methods of postage when original documentation is being sent to us.

To ensure that we are able to meet our legal, regulatory and customer obligations, we will retain client information for the following time periods:

- 1.) If you become a Client, we will keep a full record of your interactions with us, for no longer than 10 years after your loan facility with us is redeemed.
- 2.) If your enquiry proceeds to inspection of your business but does not ultimately result in a loan facility being granted, we will keep a full record of your interactions with us for 6 years to meet our obligations under UK Money Laundering regulations.
- 3.) If we collect personal information from you, but are unable to assist your business then we will keep a full record of your interactions with us for 1 year to facilitate an easier interaction between us if you re-engage our services within this period.

Your rights in relation to Your Personal Data

You can:

- ▶ request copies of Your Personal Data that is under our control
- ▶ ask us to further explain how we use Your Personal Data
- ▶ ask us to correct, delete or require us to restrict or stop using Your Personal Data (details as to the extent to which we can do this will be provided at the time of any such request)
- ▶ ask us to send an electronic copy of Your Personal Data to another organisation should you wish
- ▶ change the basis of any consent you may have provided to enable us to market to you in the future (including withdrawing any consent in its entirety)

How to make contact with our Firm in relation to the use of Your Personal Data

If you have any questions or comments about this document, or wish to make contact in order to exercise any of your rights set out within it please contact:

The Directors, First Merchant Finance Plc, 36 Seymour Street, London W1H 7JF

If we feel we have a legal right not to deal with your request, or to action, it in different way to how you have requested, we will inform you of this at the time.

You should also make contact with us as soon as possible on you becoming aware of any unauthorised disclosure of Your Personal Data, so that we may investigate and fulfil our own regulatory obligations.

If you have any concerns or complaints as to how we have handled Your Personal Data you may lodge a complaint with the UK's data protection regulator, the ICO, who can be contacted through their website at <https://ico.org.uk/global/contact-us/> or by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

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Data Subject Consent Form

I hereby grant First Merchant Finance Plc permission to process my personal data for the purpose stated in the Client Privacy Notice above.

Signed: Date:

Name:

Director of Limited Company:

Marketing Consent

I, hereby grant First Merchant Finance Plc permission to process my personal data for the purpose of Marketing. By providing your consent, you agree that you have given your express permission for us to market you regarding products and services that we think may be of interest to you and by any means of communication that is suitable at the time.

IMPORTANT NOTES: Marketing by our Firm

If you do not indicate your agreement for us to make contact with you, we may be unable to provide you with details of products and/or services that may suit your needs and circumstances.

We would like to maintain a record of your express consent for us to contact you by post, telephone, SMS, email and instant messaging for marketing our products or services that we think may be of interest to you. Please indicate your consent to us contacting you by any of the means specified below:

Post Phone SMS Email Instant Messaging*

**Whatsapp or similar service*

Signed: Date:

Name:

Director of Limited Company: