

Privacy Notice

Version 2.0, November 2022

Introduction

Welcome to Shieldpay's privacy notice.

Shieldpay respects your privacy and is committed to protecting your personal data. This privacy notice provides information on how we collect, hold, process, share and look after your personal data when you visit our Website(s) (regardless of where you visit it from in the European Economic Area (**EEA**), Switzerland or the United Kingdom) or use our Services, as set out in our Customer Agreements for Payment Services and Escrow (**Customer Agreements**). This notice also tells you about your rights and how the law protects you.

This privacy notice is provided in a layered format so you can click through to the specific areas. Please also use the Definitions section to understand the meaning of some of the terms used in this privacy notice.

Important information about this Privacy Notice

Data Controller

Shieldpay Ltd is the data controller and is responsible for your personal data (collectively referred to as Shieldpay, we, us or our in this privacy notice). Shieldpay are registered with the Information Commissioner's Office (**ICO**), and you have the right to complain to them should you find that we have not satisfactorily processed your personal data in line with this notice, our regulatory obligations or your legal rights. We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Who do I contact about this Privacy Notice?

Any questions you may have in connection with this notice or if you simply wish to update your preferences or exercise your legal rights you have, you can do so by writing to dpo@shieldpay.com. We will ensure our Data Protection Officer for data protection will take care of your query as quickly as possible (email address: dpo@shieldpay.com).

1. Important information and who we are

Purpose of this privacy notice

This privacy notice aims to give you information on how Shieldpay collects and processes your personal data through your use of this website, including any data you may provide through this website when you sign up to use our Services or to receive our newsletter or you provide your permission for us to market to you about our services or goods/services provided by third parties we work with – this may include rewards we may offer through the use of our Services.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

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 notice of every website you visit.

2. The data we collect about you

Personal data, or personal information, means any information about a living 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 when you visit our Website(s) or when you register an interest or which are necessary to obtain in order to use our Services.

More information about the types of personal data

The below information sets out more information about the types of personal data we may collect, use, store and transfer.

- **Identity, Profile and Contract Data** includes first name, middle name, last name, company details and ownership information, username or similar identifier (whether Shieldpay user created or government issued), password, pin code, title, date of birth, gender, profile pictures or avatars, government ID documents, biometric data, residential or business address, electoral roll and residency information, delivery address, billing address, email address and telephone numbers, social media information about you and your contacts (if you decide connect your social media profile with us), payment details to and from you with other Shieldpay Users, your interests, preferences, feedback and survey responses. We may collect additional information from or about you from third party sources such as merchants, data providers, financial institutions (including credit and credit information services) where permitted by law in connection with the Services;
- **Financial and Transaction Data** includes bank account, funding instruments, payment card details, information in performing the Services, Identity, Profile and Contact Data, financial account information about you and other Shieldpay Users, information about and from other financial products you have, details about payments to and from you with another Shieldpay User, other details of products and services which are linked to payment transactions, funding instruments used to complete transactions;
- **Usage and Experience Data** includes (i) Device Information, Usage Data and Geolocation Information, (ii) details about your interaction with our Website(s) and other Shieldpay Users including communications, payments, reviews, customer services communications (iii) other details of products and services which are linked to payment transactions including any description and any pictures you or a Shieldpay User provide or upload as part of our functionality to safeguard transactions, and (iv) your experience and behaviour information in interacting with us and our Website(s) primarily to improve your experience when using the Services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

Except as noted in the paragraph below in relation to biometric data, we do not collect any special categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic data).

We do not collect any information about criminal convictions and offences unless we have obtained such information in order to comply with our legal obligations under the Proceeds of Crime Act 2002, the Terrorism Act 2000, the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017, the Bribery Act 2010 and the Payment Services Regulations 2017. We may collect, process and use, for the benefit of ensuring the security of the Services we offer at Shieldpay and to comply with payment services regulations, biometric data which may involve finger-print or facial identification authentication. Where we do so, we always aim to tokenise such information and keep it secure.

If you fail to provide personal data

Where we need to collect personal data by law, or in order to provide the Services to you under the terms of the agreements under the legal section of our website and you fail to provide that data when requested, we may not be able to perform the Services or your experience using the Website(s) may not be optimised making our Services more difficult to use. In this case, we may have to cancel, suspend or terminate part or all of the Services offered to you, but we will notify you if this is the case at the time.

3. How your personal data is collected

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

Direct interactions. You may give us your Identity, Profile and Contact Data and Financial and Transaction Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- Use our Services;
- Make any enquiries about us or our Services;
- Create an account on our Website;
- Subscribe to our Services, communications or publications;
- Request marketing to be sent to you;
- Enter a competition, promotion or survey;
- Interact with our Customer Services; or
- Give us some feedback.

Automated technologies or interactions. As you interact with our Website, we may automatically collect Usage and Experience Data and Device Information about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs, third party and other similar technologies, for example website analytics providers. We may also receive Usage and Experience Data and Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details <https://www.shieldpay.com/cookies-policy>.

Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources, for example using: (i) credit reference agencies, government databases, data analytics and other screening providers to be able to identify you or monitor transactions or verify the goods and/or services subject to any transaction and to comply with our legal obligations or perform the Services to you and other Shieldpay Users; (ii) third party dispute resolution providers we use or are legally required to deal with; or (iii) other Shieldpay Users who are party to a transaction with you.

4. How we use your personal data

We may process your personal data for a variety of reasons that are justified and are allowed under the applicable data protection laws. This forms the legal basis on how we process your personal data. Most commonly, we will use your personal data in the following circumstances:

Purpose/Activity	Type of data	Lawful basis for processing (including basis of legitimate interest)
To register you as a new customer	(a) Identity (b) Contact	Necessary for our legitimate interests (to register you as a customer)
To process and deliver the Services including: (a) Send, request, fund and authenticate a payment transaction and payment order (as defined in our Customer Agreements), including sharing information with the other Shieldpay users you are sending or receiving funds from, and	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/Services and/or to recover debts due to us)

<p>marketplaces, merchants and other third party service providers or website(s) who have integrated Shieldpay Services which you use to pay for goods or services;</p> <p>(b) Authenticate your access to your account or the funding or release of a payment order;</p> <p>(c) Communicate with you about the Services, the Website(s), or Shieldpay;</p> <p>(d) Create an account connection between your account under the Customer Agreements and a third-party account, platform or financial institution; and</p> <p>(e) Perform identity and financial standing checks, financial and other risk related enquiries and monitoring, evaluate applications, compare information for accuracy, risk and verification purposes;</p> <p>(g) Monitoring your interactions with our Website(s) and other Shieldpay users.</p>		
<p>To manage our relationship with you which will include:</p> <p>(a) Notifying you about changes to our terms or privacy policy; and</p> <p>(b) Asking you to leave a review or take a survey.</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Marketing and Communications</p>	<p>(a) Necessary to comply with a legal obligation</p> <p>(b) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/Services)</p>

<p>To enable you to partake in a prize draw, competition, for use in social media marketing campaigns or inviting you to attend an event or complete a survey.</p>	<p>(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications</p>	<p>Necessary for our legitimate interests (to study how customers use our products/Services, to develop them and grow our business)</p>
<p>To manage our business needs, such as monitoring, analysing, protecting the integrity and improving the Services and products offered and supplied to you and other Shieldpay Users, managing the availability and connectivity of Shieldpay Website(s), and improving the Website(s) performance and functionality (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data) and comply with our obligations and to enforce the legal agreements relating to the use of our Website(s) and the Services, including to comply with all applicable local and international laws and regulations.</p>	<p>(a) Identity (b) Contact (c) Technical</p>	<p>(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</p>

<p>To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you, including advertising the services of unaffiliated third party businesses. We may use location-specific or geolocation functionality through the Services to enhance the security of our Website(s) and the Services, including ensuring we are offering the Services in the correct location. We may use cookies and other tracking technologies to provide these online services and/or work with other third parties such as advertising or analytics companies to provide these services.</p>	<ul style="list-style-type: none"> (a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical 	<ul style="list-style-type: none"> (a) 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) (b) Consent (in relation to the use of cookies other than strictly necessary cookies per the cookie policy)
<p>To use data analytics to improve our Website, products/services, marketing, customer relationships and experiences, including using data in relation to our internal business development meetings and presentations.</p>	<ul style="list-style-type: none"> (a) Technical (b) Usage (c) Marketing and Communications 	<p>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)</p>
<p>To communicate with you about the Services, the Website(s) or Shieldpay, including to make suggestions and recommendations to you about goods or services that may be of interest to you, including the services of unaffiliated third party businesses.</p>	<ul style="list-style-type: none"> (a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications 	<p>Necessary for our legitimate interests (to develop our products/Services and grow our business)</p>

<p>To manage risk and protect you and other Shieldpay Users from financial crime and fraudulent activities, for example by verifying your identity, banking, payment and other financial details, products and goods subject to any transaction(s) and helping to detect and prevent financial crime, breaches of international sanctions, attacks and abuse of our Website(s) and Services or non-compliance with our policies.</p>	<p>(a) Identity (b) Usage (c) Profile (d) Financial (e) Transaction</p>	<p>Necessary to comply with a legal obligation</p>
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Change of Purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Marketing

We strive to provide you with choices regarding personal data uses, particularly around marketing and advertising. You will receive marketing communications from us if you have requested information from us or utilised our Services and you have not opted out of receiving that marketing.

You have the right to object to our use of your personal data for marketing purposes at any time free of charge. We will allow you to do this by updating your preference through our Website(s) or mobile application or you can contact dpo@shieldpay.com

5. Disclosures of your personal data

We may have to share your personal data or other information about you with others in a variety of ways as described in this section, in each case in connection with the purposes set out at: How we use your personal data above. We may share your personal data or other information with the following parties:

- Other members of Shieldpay Group;
- With other companies that provide services to us;
- With other financial and commercial institutions, we have partnered with; and
- With other parties to transactions or facilitating our Services, such as other Shieldpay Users, marketplaces, dispute resolution providers, merchants and other third-party service providers or website(s) who have integrated our Services.

6. How we work with other services and platforms

A significant benefit and innovation of Shieldpay's Services is that you can connect our Services and account with a third-party account or platform. For the purposes of this notice, an "account connection" with such a third-party is a connection you authorise or enable between your account and a non-Shieldpay account, payment instrument, or platform that you lawfully control or own. When you authorise such a connection, Shieldpay and the third-party will exchange your personal data and other information directly. Examples of account connections include:

- Linking your Account to a social media account or social messaging service;
- Connecting your account to a third-party data aggregation or financial services company, if you provide such company with your account log-in credentials; or
- Using your account to make payments to Shieldpay or a third party who we work with.

If you choose to create an account connection, we may receive information from the third-party about you and your use of the third-party's service. For example, if you connect your account to a social media account, we will receive personal data from the social media provider via the account connection.

If you connect your account to other financial accounts, directly or through a third-party service provider, we may have access to your account balance and transactional information, such as purchases and funds transfers. We will use all such information that we receive from a third-party via an account connection in a manner consistent with this notice.

Information that we share with a third-party based on an account connection will be used and disclosed in accordance with the third-party's privacy practices. Before authorising an account connection, you should review the privacy notice of any third-party that you authorised to have an account connection that will gain access to your Personal Data as part of the account connection.

7. International transfers

We share your personal data within the Shieldpay Group. This may involve transferring your data outside the UK, European Economic Area (EEA) or Switzerland. Many of our external third parties are based outside of these jurisdictions, so their processing of your personal data will involve a transfer of data outside of these jurisdictions.

Where these countries do not afford an equivalent level of privacy protection, we have taken specific steps, in accordance with applicable data protection law, to protect your personal data through the use of contractual protections. Also, if you make transactions with parties outside the UK, EEA or Switzerland or connect with our Services with other platforms, such as social media, marketplaces, merchants outside the UK, EEA or Switzerland, we are required to transfer your personal data with those parties in order to provide the requested Services to you.

Whenever we transfer your personal data out of the UK, EEA or Switzerland, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will aim only to transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data under applicable data protection law. The Services you have requested from us involve a transfer to such countries that do not provide an adequate level of protection;
- Where we use providers or provide Services in the US, we may transfer data to the US. Where we do so, we will ensure that they provide similar protection to personal data shared between the Europe and the US, for example, standard contractual clauses.

8. 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.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

9. Data retention

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

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 requirements.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax, financial regulatory and other legal purposes.

In some circumstances you can ask us to delete your data. See: Your Legal Rights below for further information.

In some circumstances we may 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.

10. Your Legal Rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. If you wish to exercise any of the rights set out below, please contact us at dpo@shieldpay.com or visit the Support section of our Website for more information:

Request access to your personal data (commonly known as a “data 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. 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) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of 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 data’s accuracy; (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.

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. 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.

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 may 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 may 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.

11. Can children use our Services?

The Website(s) and Services are not directed to children under the age of 18. We do not knowingly collect information, including personal data, from children or other individuals who are not legally able to use our Website(s) and Services. If we obtain actual knowledge that we have collected personal data from a child under the age of 18, we will promptly delete it, unless we are legally obligated to retain such data. Please contact us if you believe that we have mistakenly or unintentionally collected information from a child under the age of majority.

12. Changes to this Privacy Notice

We may revise this Privacy Notice from time to time to reflect changes to our business, the Website(s) or Services, or applicable laws. The revised Privacy Notice will be effective as of the published effective date.

If the revised version includes a substantial change, we will provide you with 30 days prior notice by posting notice of the change on our Website. We also may notify Shieldpay Users of the change using email or other means.

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.

13. Definitions

Device Information means data that can be automatically collected from any device used to access the Website(s) or Services. Such information may include, but is not limited to, your device type; your device's network connections; your device's name; your device IP address; information about your device's web browser and internet connection you use to access the Website(s) or Services; Geolocation Information; information about apps downloaded to your device; and biometric data (e.g., Touch ID/Fingerprint to verify your identity or to authenticate a transaction).

Geolocation Information means information that identifies, with reasonable specificity, your location by using, for instance, longitude and latitude coordinates obtained through GPS or WiFi, your IP address or cell site triangulation.

Information Commissioner's Office means the UK regulator for the protection of personal data and electronic communications also known as the ICO. You can contact the ICO in writing at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF United Kingdom, or by visiting their website at www.ico.org.uk.

Legitimate interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights 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).

Process means any method or way that we handle Personal Data or sets of Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, and consultation, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction of personal data.

Services means any products, services, content, features, technologies, or functions, and all related websites, applications and services offered to you by Shieldpay under the Customer Agreement.

Shieldpay Users means an individual who uses the Services or accesses the Website(s) and has established a relationship with Shieldpay (for example under the Customer Agreement) or otherwise uses the Services as a buyer, seller or other type of participant to a transaction.



Website(s) means the Shieldpay Website, Shieldpay's official social media pages, or other online platforms through which Shieldpay offers the Services and which has posted or linked to this Privacy Notice.