

# Zilch Privacy Notice

## Introduction

Zilch Technology Limited is committed to protecting and respecting your privacy. This privacy notice, together with any agreement you enter into with us, details how we collect, use and disclose your personal data as well as your privacy 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 set out below. Alternatively, you can download a pdf version of the notice [here](#).

- [Important information and who we are](#)
- [The data we collect about you](#)
- [How is your personal data collected?](#)
- [How we use your personal data](#)
- [Disclosures of your personal data](#)
- [International transfer](#)
- [Data security](#)
- [Data retention](#)
- [Your legal rights](#)
- [Glossary](#)

### 1. Important information and who we are

#### Purpose of this privacy notice

This privacy notice aims to give you information on how Zilch Technology Limited (collectively referred to as “Zilch”, “we”, “us” or “our”) processes personal data about users of our website, mobile application or any other Services, technology, or products we may offer from time to time (collectively, “Services”). For purposes of this privacy notice “you” and “your” means you as the user of the Services.

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

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 other notices and privacy policies and is not intended to override them.

#### Controller

Zilch Technology Limited is the controller and responsible for your personal data.

The merchants that we work with are independent of Zilch, and may have their own privacy policies which are different from ours. Our merchants may also be data controllers in respect of personal data that you provide to them, and you should contact them if you would like further information about how they use your personal data, or if you would like to view their privacy notice.

We have appointed a Data Protection Officer who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact us using the details set out below.

### **Contact details**

If you have any questions about this privacy notice or our privacy practices, please contact us in the following ways:

Full name of legal entity: Zilch Technology Limited  
Postal address: 123 Buckingham Palace Road, London, England, SW1W 9SH United Kingdom  
E-mail address: [privacy@zilch.com](mailto:privacy@zilch.com).

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (<https://www.ico.org.uk>); however, we would appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### **Changes to the privacy notice**

We keep our privacy notice under regular review to make sure it is up to date and accurate. Zilch reserves the right to modify this notice from time to time, so please review it regularly. If we make material changes to this notice, we will notify you by email.

### **Your duty to inform us of any changes to your personal information.**

If you use our Services, 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.

### **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 an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

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

- **Identity Data** includes first name, last name, username or similar identifier, marital status, title, date of birth, gender, and any form of identification that you provide to us so that we can verify your identity.
- **Contact Data** includes postal address, email address, telephone number and public details from your social media profile.
- **Financial Data** includes:
  - Account Data: account information, card details, credit reference data, account status, balance, and purchase limit.
  - Transaction Data: transaction information and merchant.
  - Loan Information Data: overdue payments details.
  - Open Banking Data (if you connect your Zilch account with open banking): bank account details of those accounts that you choose to connect to the Service, transactions, and balances.
- **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, and other technology on the devices you use to access this website.
- **Profile Data** includes your username and password, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website and Services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We may need to process **Special Categories of Personal Data** about you (this is information that can reveal a person's race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about their health, and genetic and biometric data). For example, when you submit your identity document, we may use identity verification services provided by a third-party provider to verify your identity documents, confirm your identity, and protect against fraud and abuse.

We do not collect any information about criminal convictions and offences.

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with our Services). In this case, we may have to cancel a Service you have with us, but we will notify you if this is the case at the time.

### 3. How is your personal data collected?

When you use or access our Services, we may collect personal data about you. Sometimes we collect personal data automatically when you interact with our Services and sometimes we collect personal data directly from you. At times, we may collect personal data about you from other sources and third parties.

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us through our website (including when you apply to register with us). This includes personal data you provide when you:
  - apply to use our Services;
  - create a Zilch account;
  - request to make transactions by using our Services;
  - request marketing to be sent to you;
  - enter a competition, promotion or survey; or
  - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our website or mobile app, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our [cookie notice](#) for further details. Third parties or publicly available sources.
- **Third parties or publicly available sources.** We will receive personal data about you from various third parties as set out below:
  1. Technical Data from analytics providers such as Google;
  2. Demographic data from advertising sources such as Facebook and Instagram, Twitter, and Google;
  3. Transaction Data from merchants who you make transactions with using our Services;
  4. Affiliate advertising networks such as Awin;
  5. Technical monitoring and error reporting service providers, such as DataDog;
  6. Contact Data, Identity Data and Financial Data (Account Data) from Credit Reference Agencies (CRAs) such as Equifax, TransUnion and Experian. More information about CRAs and how they use your personal information is available at:

<https://www.transunion.co.uk/crain;>

<https://www.equifax.co.uk/crain;> and  
[https://www.experian.co.uk/crain.](https://www.experian.co.uk/crain)

7. Confirmation of match Contact Data and Identity Data against public records from KYC (Know Your Customer) providers such as Experian;
8. Contact Data and Identity Data from identity verification providers such as Onfido;
9. Loan Information Data where our third parties' debt collection support services help us collect outstanding balance;
10. Open Banking Data from our third-party providers such as Yapily.

#### **4. How we use your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent when the law requires us to do so, for example before sending direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

We use your personal data for solely automated decision-making, we receive credit score information from credit reference agencies, and we use that to make an appropriate assessment of whether a credit limit is appropriate for you, and how much that would be.

We may use your personal data in de-identified form (de-identification being a process by which we eliminate any personal identifiers and personal details) for research or statistical purposes and to assist us in running our business. We may also share de-identified data in aggregated form with third parties for different purposes (i.e., we may aggregate your Usage and Transaction Data and share it with current or prospective retailers). When your personal data is included in anonymised, aggregated data, it becomes impossible to identify you or anything about you from that data.

#### **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 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.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing
To register you as a new customer, to verify your identity documents and protect against fraud and abuse	(a) Identity (b) Contact (c) Financial (d) Special Category Data	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Our legitimate interests in verifying your identity and checking your credit score and history. (d) Reasons of substantial public interest – to prevent or detect unlawful acts
To assess and approve each proposed transaction related to the Services you request	(a) Identity (b) Contact (c) Financial	(a) Performance of a contract with you (b) Our legitimate interests in verifying your identity and checking your credit score and history
To process approved transactions on your behalf	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Performance of a contract with you
To process cashback payments and referral fees	(a) Identity (b) Contact (c) Financial	(a) Performance of a contract with you (b) Our legitimate interests in processing and receiving payments owned to us and you
To manage your account and process repayments that you owe to us	(a) Identity (b) Contact (c) Financial	(a) Performance of a contract with you (b) Our legitimate interests in processing repayments for transactions where we have paid on your behalf
To collect and recover money owed to us	(a) Identity (b) Contact (c) Financial	(a) Performance of a contract with you (b) Our legitimate interests in pursuing late payment and recovering money that you owe to us

<p>To manage our relationship with you which will include:  (a) notifying you about changes to our terms or privacy notice  (b) asking you to leave a review or take a survey</p>	<p>(a) Identity  (b) Contact  (c) Profile  (d) Marketing and Communications</p>	<p>(a) Performance of a contract with you  (b) Necessary to comply with a legal obligation  (c) Necessary for our legitimate interests to improve our customers satisfaction by collecting feedback</p>
<p>To process, manage and investigate and resolve any claim or complaint raised by you</p>	<p>(a) Identity  (b) Contact  (c) Financial</p>	<p>(a) Performance of a contract with you  (b) Necessary to comply with a legal obligation</p>
<p>To support our ongoing reporting and usage of Credit Reference Agency data</p>	<p>(a) Identity  (b) Contact  (c) Financial</p>	<p>(a) Necessary to comply with a legal obligation</p>
<p>To retain records of our financial transactions and contracts with you in order to maintain adequate accounting records and meet legal requirements</p>	<p>(a) Identity  (b) Contact  (c) Financial</p>	<p>(a) Necessary to comply with a legal obligation</p>
<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</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)</p>
<p>To use data analytics to improve our website, products/Services, customer relationships and experiences</p>	<p>(a) Technical  (b) Usage</p>	<p>(a) Necessary for our legitimate interests (to define types of customers for our products and Services, to keep our website updated and relevant and to develop our business strategy)</p>
<p>To make suggestions and recommendations to you about goods or Services that may be of interest to you, and/or to send you other</p>	<p>(a) Identity  (b) Contact  (c) Technical  (d) Usage  (e) Profile</p>	<p>(a) Consent (if we are sending you marketing by text or email)  (b) Necessary for our legitimate interests (to develop our products/Services and grow our business)</p>



types of marketing communications	(f) Marketing and Communications	
To record information that you tell us about your health, so we understand how to best support you	(a) Special Category Data	(a) Legitimate interest, and (b) Explicit consent, or (c) Reasons of substantial public interest – Economic well-being, if it's necessary to protect your economic well-being if you are at risk and you cannot give explicit consent or if this cannot be obtained reasonably.
To access details about accounts you hold with other banks so we can make lending decisions	(a) Identity (b) Contact (c) Financial	(b) Consent

## Marketing

We may contact you about product or Services offered by us. We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. You may opt out of receiving marketing communications at any time by responding via the channel in which you received the marketing communication, or by contacting us at [privacy@zilch.com](mailto:privacy@zilch.com).

## Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, Services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or requested to use our Services and you have not opted out of receiving that marketing.

## Third-party marketing

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

## Opting out

You can ask us to stop sending you marketing messages at any time by logging into the website and checking or unchecking relevant boxes to adjust your marketing preferences, by following the opt-out links on any marketing message sent to you, by contacting us at any time.

## **Cookies**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see our cookie notice.

## **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.

## **5. Disclosures of your personal data**

We may share your personal data with the parties set out below for the purposes set out in the table above.

- Merchants, to process your purchases and refunds.
- Credit reference agencies, to assess your creditworthiness, to notify them where you are late in repaying us, and to inform them (monthly) about the status of your account.
- Service providers such as professional advisers (e.g. lawyers, accountants), advertising service providers, web- and app-hosting services, website optimisation services, website usage service, email service provision, mobile push notification services, data management platform provision, digital gift card distribution services, customer relationship management services, marketing tracking partners, messaging services, social media platforms, online and offline marketing services, research and profiling services, to handle, store or use certain personal data on behalf of us.
- Our affiliates and partners involved in transactions, to make funds available, and to provide cashback.
- HM Revenue & Customs, regulators and other authorities (such as law enforcement authorities), to meet our legal obligations, to prevent criminal activity or for reasons of substantial public interest.
- 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 notice.
- Debt collection support services, to support us when you are late in repaying us.

- Open banking providers, to allow transactions.

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 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.

## **6. International transfers**

Personal data we collect may be transferred to, stored and processed in, the United States and any other country outside the UK in which our data processors are located. We will ensure that transfers of personal data to a third country or an international organisation are subject to appropriate safeguards, such as the UK International Data Transfer Agreement, as described in the UK Data Protection Laws.

Please contact us at [privacy@zilch.com](mailto:privacy@zilch.com) if you want further information on how we transfer your personal data.

## **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.

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.

Access to your Account is password-protected for your privacy and security. While we do our best to protect your personal information you also must protect yourself. What does this mean?

- Keep your password or other access information secret.
- Ensure no-one else uses your account or our Services while your machine is “signed in” to our site or app.
- Make sure you sign out from your Account when not using it.

## **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.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for five years after they cease being customers, after which it will be destroyed, deleted or anonymised so it can no longer be associated with our customers.

In some circumstances you can ask us to delete your personal data: see your legal rights below for further information.

## **9. Your legal rights**

Under certain circumstances, you have 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 “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:
  - 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.
  - 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.

If you wish to exercise any of the rights set out above, please contact us at [privacy@zilch.com](mailto:privacy@zilch.com).

### **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. Glossary**

**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). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

**Processing** in relation to personal data, this means any operation or set of operations which is performed on it. This includes collecting, storing, recording, using, amending, analysing, disclosing or deleting it.

Last update: November 2023