

Privacy Notice

This notice explains how we use your personal data, and for what purposes. It applies to when you use our app or our website and when you apply for any of our products and services. We are committed to collecting and using your data fairly and in line with General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

1. Who we are:

We are Koto Card Limited ("we", "our", "us"). We are committed to protecting and respecting your privacy.

If you have a question or concern about this notice or your data protection rights please contact us through the Koto app, by emailing us at support@getkoto.com or by writing to us at Koto Card Limited, Albert House, 256-260 Old St, Old Street, London EC1V 9DD

We are registered with the Information Commissioner's Office under number ZA455892.

2. Our legal grounds for handling your personal data:

The UK's data protection laws allows us to use your personal data provided we have a lawful basis to do so. This includes sharing it in certain circumstances, as described below.

We consider we have the following reasons (legal bases) to use your personal data:

- Performance of contract with you: we need to use your personal data to be able to successfully legally contract with you;
- Compliance with our legal obligations: we need to use your personal data so as to comply with certain legislation such as financial crime legislation;
- Legitimate interests: we have legitimate interests in using your data to help prevent and detect financial crime, fraud and money laundering, to promote responsible lending, to support our tracing, collection and litigation procedures and to assist our compliance with the legal and regulatory requirements placed upon us;
- Your consent: we may also use your data when you consent to it. You can withdraw this consent at any time, in which case we will cease to use it, unless we have a right and a need to continue processing it for one of the other reasons set out above.

3. What personal data is collected from you:

(i) Data provided by you:

- When you apply for our services and throughout the course of our dealings with you: for example, your name, postal address, previous postal addresses, your email address, your IP address, telephone numbers, date of birth, a photo of you (selfie) marital status, dependents, employment details, employment history, bank account details, driving license details, home ownership status and details, your income, your assets and liabilities, details of your proof of identity documentation and proof of address documentation;
- When you talk to us: for example on the phone or in person including call recordings and voice messages. We may monitor or record calls with you to check we have carried out your instructions, to resolve queries or disputes, to improve the quality of our service, or for regulatory or fraud prevention purposes;
- In writing: for example letters, proposal forms, survey responses, emails, chat messages and texts;
- Online: for example when you use our website and information from any accounts you share with us;
- Electronically: for example when you use our mobile application ("APP"); In financial reviews, for renewals and in any surveys;
- Through your phone: for example your address book, photos, geolocation and data from your camera.

(ii) Data we collect when you use our services:

- Transaction data: for example when we deal with or manage your account and when you request credit from us;
- Pay data: for example, the amount, origin, frequency etc. of your payments to us;
- Usage and profile data: for example, from your use of our website and APP. We gather this data from the devices you use using cookies and other software;
- Your location data and configuration information about your mobile phone: We use location data and phone data to supplement information and for Fraud detection when you log in to the App. The phone data also helps us to fix bugs e.g. APP crashes on the operating system or network.

(iii) Data provided by third parties:

- Data from persons that may introduce you to us: for example brokers, introducers, financial advisers, agents or other third parties;
- Data from credit reference agencies (Experian);
- Data from Comply Advantage;
- Data from fraud prevention agencies;
- Publicly available information: for example, from the land registry, companies house, the electoral register, other information available online or in the media, including social media;
- Data from your representatives where relevant: for example your legal and financial advisers such as lawyers and accountants.

4. Why personal data is collected by us

We collect personal data from you for many reasons including:

- Exercising our contractual rights and obligations

Legal basis

- Contract performance

Legitimate interest

- Business efficacy

- Pre contractual checks

- Post contractual checks

- Customer service

- Account management and - maintenance

Legal basis

- Contract performance
- Legitimate interests
- Legal duty
- Consent

Legitimate interest

- Verifying identity
- Maintaining up to date records
- Seeking consent where relevant
- Business efficacy
- Risk management

- Product analysis and development

- Business development

- Profiling, statistical and analytics

Legal basis

- Contract performance
- Legitimate interests

Legitimate interest

- Business efficacy
- Risk management
- Product development

- Regulatory and legal requirements

- Managing risk

- Business management and operations, including record keeping

Legal basis

- Legitimate interests
- Legal duty
- Contract performance

Legitimate interest

- Business efficacy
- Risk management

- Recovery of money owed to us

- Reporting to credit reference agencies and fraud prevention agencies

Legal basis

- Contract performance
- Legitimate interests
- Legal duty

Legitimate interest

- Business efficacy
- Risk management

- Marketing

- Research

Legal basis

- Consent
- Legitimate interests

Legitimate interest

- Business development
- Business efficacy
- Brand management

5. Fraud Prevention Agencies

(i) General

Before we provide services, goods or financing to you, we undertake checks for the purposes of preventing fraud and money laundering, and to verify your identity. These checks require us to process personal data about you.

The personal data you have provided, we have collected from you, or we have received from third parties will be used to prevent fraud and money laundering, and to verify your identity.

Details of the personal information that will be processed include, for example: name, address, date of birth, contact details, financial information, employment details, device identifiers including IP address and vehicle details.

We and fraud prevention agencies may also enable law enforcement agencies to access and use your personal data to detect, investigate and prevent crime.

We process your personal data on the basis that we have a legitimate interest in preventing fraud and money laundering, and to verify identity, in order to protect our business and to comply with laws that apply to us. Such processing is also a contractual requirement of the services or financing you have requested.

Fraud prevention agencies can hold your personal data for different periods of time, and if you are considered to pose a fraud or money laundering risk, your data can be held for up to six years.

(ii) Automated Decisions

As part of the processing of your personal data, decisions may be made by automated means. This means we may automatically decide that you pose a fraud or money laundering risk if our processing reveals your behaviour to be consistent with money laundering or known fraudulent conduct, or is inconsistent with your previous submissions, or you appear to have deliberately hidden your true identity. You have rights in relation to automated decision making: if you want to know more please contact us using the details above.

(iii) Consequences of Processing

If we or a fraud prevention agency determine that you pose a fraud or money laundering risk, we may refuse to provide the services of financing you have requested, or to employ you, or we may stop providing existing services to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you. If you have any questions about this, please contact us on the details above.

(iv) Data Transfers

Whenever fraud prevention agencies transfer your personal data outside of the European Economic Area, they impose contractual obligations on the recipients of that data to protect your personal data to the standard required in the European Economic Area. They may also require the recipient to subscribe to 'international frameworks' intended to enable secure data sharing.

(v) Your Rights

Your personal data is protected by legal rights, which include your rights to object to our processing of your personal data; request that your personal data is erased or corrected; request access to your personal data. See 'Your Rights' at section 11 below.

6. Credit Reference Agencies (CRAs)

In order to process your application, we may supply your personal information to credit reference agencies (CRAs) in which case they will give us information about you, such as about your financial history. We do this to assess creditworthiness and product suitability, check your identity, manage your account, trace and recover debts and prevent criminal activity. When CRAs receive a search from us they may place a search footprint on your credit file that may be seen by other lenders and used to assess applications for finance from you and members of your household. The CRA may also share your personal information with other organisations.

We may 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. Your data will also be linked to the data of your spouse, any joint applicants or other financial associates. The CRA we use and information on how it uses your personal data is available at <http://www.experian.co.uk/crain/>.

From time to time we may provide your personal data to our partners, third parties and customer service agencies for research and analysis purposes so that we can monitor and improve the services we provide. We may contact you by post, e-mail or telephone to ask you for your feedback and comments on our services.

From time to time we may contact you about our other goods or services similar to those that you have engaged with us about previously that may be of interest to you.

7. When personal data is shared

We may share your personal information with:

- Anyone who works for us when they need it to do their job;
- Any organisation which supports any of our services you use, when they need it to offer those services. That includes: Card producers and networks;
- Credit reference agencies (for information on how they use data please read the Credit Reference Agency Information Notice);
- Analytical, Know Your Customer (KYC) and cyber security service providers; Customer 'interface' providers (like the ones who manage our in-app chat service);
- Companies that do advertising for us (but we won't share identifiable personal data with third parties for their own direct marketing unless you give us permission, and you can opt out any time);
- Certain authorities that detect and prevent terrorism (including authorities outside the UK if one of your payments is processed through a worldwide payment system);
- Anyone who you give us explicit permission to share it with. We will also share it to comply with the law; to enforce our Terms and Conditions or other agreements; or to protect the rights, property or safety of us, our customers or others.

If, in the future, we sell, transfer or merge all or part of our business or assets, including the acquisition of other businesses, we may share your data with other parties. We will only do this if they agree to keep it safe and private and to only use it in the same ways as set out in this notice.

8. How long we keep your personal data

We keep your data as long as you are a customer of Koto. In some circumstances, like cases of anti-money laundering or fraud or in the case of a dispute, we may keep data longer if we need to and/or the law says we have to.

We may also retain your data for research and statistical purposes in which case we will ensure it is kept private and used only for these purposes.

Data about live and settled accounts is kept on credit files for six years from the date they are settled or closed. If the account is recorded as defaulted, the data is kept for six years from the date of the default.

9. When personal data is transferred outside the European Economic Area (EEA)

Whenever fraud prevention agencies transfer your personal data outside of the EEA, they impose contractual obligations on the recipients of that data to protect your personal data to the standard required in the EEA. They may also require the recipient to subscribe to 'international frameworks' intended to enable secure data sharing.

We do not currently share your personal data with anyone outside of the EEA.

10. Consequences

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the services and financing you have requested or we may stop providing existing services to you. A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you.

If you fail to provide us with data we require, this may delay or prevent us from entering into a contract with you and or complying with our obligations. Depending on the importance of the data, it may mean that we are entitled to terminate an agreement with you.

If you have any questions about the above, please contact us on the details in section 1.

11. Your rights

Your personal data is protected by legal rights which include your right to:

- Access your personal data; we hold about you, or to get a copy of it;
- Request that we amend, update or correct inaccurate data;
- Request that your personal data is erased or that its processing be restricted;
- Object to our controlling and processing your personal data;
- Request that we transfer your personal data to another lender;
- Object to our sharing of your personal data with others or with certain organisations;
- Request that we confirm what personal data we currently control and/or process in relation to you;
- Withdraw any consent you've previously given us.

To do so, please contact us through the app or by emailing support@getkoto.com. There may be reasons why we need to keep or use your data, but please tell us if you think we should not be processing your data.

If you are unhappy about how your data is being used, you may raise a complaint. Our complaints procedure is available on our APP or via the website www.getkoto.com.

You also have a right to complain to the Information Commissioner's Office which regulates the processing of personal data. You can contact them at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, on 0303 123 1113 or by email to casework@ico.org.uk. See also <https://ico.org.uk/global/contact-us/>.

12. Changes to our Privacy Policy

We will post any changes we make to our privacy notice on this page and, if they are significant changes we will let you know by email.

13. Direct Marketing

We can only use your personal information to send you marketing if we have your consent or a legitimate interest. A legitimate interest will usually be a commercial reason which cannot be used unfairly against you.

14. Cookie information

Our Cookie Policy has more information on what cookies are and how we use them.