

## **Privacy Notice**

The Digital Development Loan is administered on behalf of the Scottish Government by Lanarkshire Enterprise Services Ltd as delivery partner and DSL Business Finance Ltd as finance partner. This privacy notice sets out how any personal information that you provide is collected, managed, used and protected.

We are committed to ensuring that your privacy is protected. Where we ask you to provide certain information by which you can be identified, then you can be assured that it will only be used in accordance with this Privacy Notice.

We may change this policy from time to time. Please check this policy from time to time at <https://digitaldevelopmentloan.org/>. This policy is effective from 1 May 2018.

### ***Who is responsible for your personal data?***

Your application forms, business plan and other supporting documentation shall be assessed by Lanarkshire Enterprise Services Ltd. Lanarkshire Enterprise Services Ltd (“LESL”) is a company registered under the Companies Acts under Company Number SC105922 with its registered office at The Atrium Business Centre, North Caldeen Road, Coatbridge, ML5 4EF. LESL is not authorised or regulated by the Prudential Regulation Authority (PRA) or the Financial Conduct Authority (FCA). LESL and other entities in its group are not banking institutions and do not operate as such. LESL is responsible for your personal data processed by LESL in the capacity of data controller for the purposes of your initial application and on-going monitoring of the Digital Development Loan Scheme and will comply with the General Data Protection Regulation 2016 and Data Protection Act 2018 in respect of any processing of your personal data.

If your business case for a Digital Development Loan is approved, your application and supporting documentation will be passed to, DSL Business Finance Limited, who will conduct an assessment of your ability to meet repayments, administer your loan agreement and funds to you, and collect any repayments. DSL Business Finance Ltd (“DSL”) is a Company registered under the Companies Acts under Company Number SC145739 with its registered office at C/O CEIS, Moorpark Court, 5 Dava Street, Govan, Glasgow, G51 2JA. DSL is responsible for your personal data processed by DSL in the capacity of data controller for the purposes of the payment and repayment of the Digital Development Loan and will comply with the General Data Protection Regulation 2016 and the Data Protection Act 2018 in respect of any processing of your personal data.

### ***What information is collected about you and how is it collected?***

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).

Personal information will be collected from you in relation to your application and the administration of your Digital Development Loan. We have grouped the types of information that may be collected from you as follows:

- Identity data including name, date of birth, marital status, occupation nationality, residential status, employment status, and dependent information, application approval status;
- Contact data including address, phone numbers and e-mail address;
- Equal opportunities monitoring data including relating to gender, disability and ethnicity;
- Financial data including bank account details, details of personal assets, liabilities, income and expenditure, and insolvency history;
- Transaction data including payments made to and from you, information relating to any defaults on repayments and other information relating to the terms of your loan and outstanding amounts on your loan;
- Communications data including your preferences in receiving communications from LESL and DSL;
- Technical data collected through the use of our website including the Internet protocol (IP) address used to connect your computer to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform;
- Usage data collected through the use of our website including the full Uniform Resource Locators (URL) clickstream to, through and from our site (including date and time), page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page and any phone number used to call us.

Your information may be collected:

- From You. You may provide us with such information by applying for a Digital Development Loan, when you correspond or speak to us by phone, email or otherwise or in the administration of your loan.
- By Us. When you visit <https://digitaldevelopmentloan.org/> and receive e-mails from us we may automatically collect technical information about your equipment, browsing actions and patterns. This is collected using cookies. Cookies are used to improve your experience while visiting our website. Cookies are small files saved to the user's hard drive that track, save and store information about the user's interactions and usage of the website. This allows our website, through its server, to provide users with a tailored experience. If you wish to prevent the use and saving of cookies from this website on to your computer's hard drive you should take necessary steps within web browser's security settings to block all cookies from our website. If you would like further information about cookies and how they are used, you can visit <http://www.allaboutcookies.org/> and
- From Third Parties, including your bank, credit reference agencies, business partners and suppliers. Credit reference agent data may include public, electoral register, shared credit and fraud prevention information. Where a credit reference check is carried out this will leave a footprint on your credit file and could be seen by other lenders.

### ***Why do we collect this information and how will it be used?***

The personal information you have given us will be used to assess your eligibility for funding, to provide the services you have requested from us, the administration of those services (including carrying out risk assessments and credit checks) for the purposes of processing and administering your loan application, to verify your identity, to communicate with you, to maintain our records, for complaint handling purposes, to exercise, establish and defend our legal rights, to comply with our obligations under the law (including fraud prevention) and to comply with our reporting and auditing requirements with the Scottish Government, third party funders and agencies and for statistical and research purposes.

We will only use information about your ethnicity, gender and any disabilities for the purposes of monitoring and promoting equal opportunities.

You should be aware that if you do not provide us with all of the personal information that we need, this may affect our ability to offer you a Digital Development Loan. If this is the case, we will notify you at the time.

It might sometimes be necessary for us to transfer your personal information outside of the European Economic Area (EEA) to locations that may not provide the same level of protection as the UK. However, we will only transfer your personal information out of the EEA if we have put in place appropriate safeguards and protections as stated under UK law for example by the use of a data-transfer agreement incorporating certain standard model protection clauses.

### ***What is our legal basis for using your information***

There are a number of lawful reasons for us to process your personal data.

One of these is called 'legitimate interest' and means that we can process your personal data if (i) we have a genuine and legitimate reason; and (ii) are not harming any of your rights and interests. We will use your personal data for the purposes of the administration of the Digital Development Loan, any loan that you are provided with, to give you the most appropriate information and services, to provide you with the best experience when dealing with us and for the purposes set out in the ***Why do we collect this information and how will it be used*** section of this notice. Whenever we process your personal data for our legitimate interests, we will consider and balance any potential impact on you and your rights under data protection law.

Other legal bases that we will rely on include:

- If you enter into a contract with us, we may process your personal data in order to fulfil our contract with you.
- Where we have obtained your consent.
- Where we are required to comply with our legal obligations, or to establish and defend our legal rights, or to prevent and detect crimes such as fraud.
- Where use of your personal information is necessary to perform a task in the public interest.



Where we use special categories of personal data, for example, information about your ethnicity, we may ask for your consent to such use. However, sometimes, there may be reasons that enable us to use this information without consent, for example, in the establishment, exercise or defence of legal claims or for the substantial public interest of equal opportunities monitoring.

Sometimes your personal data may be used for statistical purposes, but only in a form that no longer identifies you, or for historical purposes.

#### ***Who will we share your data with?***

Your personal information will be shared between LESL and DSL. We will also share your details with our business partners namely the Scottish Government and their auditors, banks and other professional bodies associated with regulated activities including auditors. We require that all parties with whom we share your personal data treat your personal information as confidential and as securely as we do and that they comply with the requirements of the General Data Protection Regulation 2016 and Data Protection Act 2018.

We may share statistics and customer profiling information with third parties and within the LESL Group and the CEIS and DSL Group but you will not be identifiable.

Where we have your consent to marketing communications we may contact you by electronic means, including by email, SMS and/or voicemail, with offers about goods and/or services which they consider may be of interest to you. Where you have not consented, this will not happen.

DSL may also carry out credit checks which will involve your personal data being passed to Experian. Where such a search is made:

- i. Experian may check the details you have supplied us against any particulars on any database (public or otherwise) to which Experian has access in order to carry out the relevant verification service,
- ii. A specific (non-credit) footprint will be left on your file by Experian, and
- iii. A record of the decision made will be made available for DSL Business Finance to retrieve for auditory purposes.

#### ***How long we keep your information for***

How long your information will be retained will depend on the purpose for which it is required. Your personal information shall only be retained for as long as is necessary for those purposes.

Unless a longer retention period is required or permitted by law or by any organisation from which any loan funds you receive requires of us, we will only hold your personal information on our systems for the period necessary to fulfil the purposes outlined in this Privacy Notice, or until you request it is deleted and we have no reason to continue to hold it. If, having registered for any of our Services, you do not use them for a reasonable time (which may vary depending on the Service(s) you've registered for) we may contact you to ensure you're still happy to receive communications from us. Even if we delete your personal information it may persist on backup or archival media for legal, tax or regulatory purposes or a suppression list if you have asked us to no longer contact you.

#### ***Your Rights***

You have the following rights:

- (i) **Right to access:** the right to request copies of your personal information from us;
- (ii) **Right to correct:** the right to have your personal information rectified if it is inaccurate or incomplete;
- (iii) **Right to erase:** the right to request that we delete or remove your personal information from our systems;
- (iv) **Right to restrict our use of your information:** the right to 'block' us from using your personal information or limit the way in which we can use it this includes a right to withdraw any consent which you may give us to process your personal information or receive marketing communications;



(v) **Right to data portability:** the right to request that we move, copy or transfer your personal information; and

(vi) **Right to object:** the right to object to our use of your personal information including where we use it for our legitimate interests.

To make enquiries, exercise any of your rights set out in this Privacy Policy and/or make a complaint please contact:

- DSL at Data Protection Officer, DSL Business Finance Limited, Moorpark Court, 5 Dava Street, Glasgow, G51 2JA; or
- LESL at Data Protection Officer, LESL, Atrium Business Centre, North Caldeen Rd, Coatbridge, ML5 4EF

You also have the right to lodge a complaint with the data protection regulator, the Information Commissioner's Office, if you have concerns about how we use your personal information. You can contact the Information Commissioner's Office at: <https://ico.org.uk/global/contact-us/>.

## Consent

**By providing us with your personal data you hereby consent to your personal data (including information about your ethnicity) being used and disclosed in accordance with this Privacy Notice.**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date \_\_\_\_\_

## Marketing Opt-In

LESL would like to contact you from time to time about our similar products and services. If you wish to receive marketing information, please indicate by ticking the relevant box(es) below.

I wish to be contacted for marketing purposes

Post  Telephone  Email  SMS/Other

Should you no longer wish to receive our marketing materials, you may unsubscribe at any time. Please contact our Data Protection Officer a LESL, Atrium Business Centre, North Caldeen Rd, Coatbridge, ML5 4EF