

## **Privacy Policy**

This policy (together with our [Terms of Service](#)) sets out the basis on which we (Fluidly Limited a company established in England and Wales, with company number 10402874 whose registered office is at 229-231 High Holborn, London WC1V 7DA) will process any personal data we collect from you, or that you provide to us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. By visiting <https://fluidly.com/> ('our site') or by purchasing or receiving services from us you are accepting and consenting to the practices described in this policy.

For the purpose of this Privacy Policy "Data Protection Laws" shall mean as applicable the Data Protection Act 1998 and the Privacy and Electronic Communications (EC Directive) Regulations 2003 and any laws or regulations implementing Directive 95/46/EC (Data Protection Directive) or Directive 2002/58/EC (ePrivacy Directive) and/or the General Data Protection Regulation (EU) 2016/679 (GDPR) and any legislation replacing the ePrivacy Directive and/or any corresponding or equivalent national laws or regulations .

Any personal data provided to or collected by us shall be processed by us in accordance with the Data Protection Laws.

### **1. What personal data do we collect?**

#### **Information you provide us.**

This is information that you give us by instructing us to provide you with the services, accepting our online Terms of Service, registering an account on our site and providing us with access to your accounting software. It includes information relating to your invoices and late payments from your customers and information collected when you report a problem with our site. The information you give us may include your name, email address and phone number, financial and credit card information as well as information in respect of your invoicing procedures and customers. If you are a third party reselling our services ("Reseller") then it will include the above mentioned information that you provide on behalf of your end users of our service.

You are responsible for ensuring that you are authorised and permitted to share all such information with us for the purposes described in Section 3 of this Privacy Policy and that you only provide such data to us in accordance with Data Protection Laws.

#### **Information we collect about you through our site.**

With regard to each of your visits to our site we will automatically collect the following information:

- Technical information, including the Internet protocol (IP) address used to connect your computer to the Internet, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform.
- Information about your visit, 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), methods used to browse away from the page, and any phone number used to call our customer service number.

#### **Information we collect via your (or if you are a Reseller, your customers) accounting system.**

We will connect our software to your existing accounting software (for example your accounting software provided by Xero) to enable us to provide our services to you. By allowing us to connect our software to your accounting package you are authorising us to obtain, process and store your accounting information on our systems solely in accordance with this Privacy Policy and only for the purposes detailed in Section 3 of this Privacy Policy.

## 2. Cookies

Our site uses cookies to distinguish you from other users of our site. This helps us to provide you with a good experience when you browse our site and also allows us to improve our site.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer. For example, cookies can be used to collect information about your use of site during your current session and over time (including the webpages you view and the files you download), your operating system and browser type, your internet service provider, your domain name and IP address, the website that you visited before our site, and the link that you use to leave our site. If you are concerned about having cookies on your computer, you can set your browser to refuse all cookies or to indicate when a cookie is being set, allowing you to decide whether to accept it. You can also delete cookies from your computer. However, if you choose to block or delete cookies, certain features of our site may not operate correctly.

## 3. For what purposes will we use the information we collect from you?

We use information held about you in the following ways:

- **To provide our services to you and to other customers.**

We use personal data to provide our services to you through the site, including (as examples and not an exhaustive list): forwarding information to you including cash collection, benchmarking performance, keeping records and making predictions; to provide customer support; to process and complete payments or transactions; to administer our site; and for internal operations, including troubleshooting, data analysis, research and statistical purposes.

We may also combine the information we collect from you with information we collect from other sources and other customers. We will use the combined information for the purposes of providing the services to you and our other customers. The combined information will primarily be aggregated and anonymised (see 'Aggregated Data' below for further detail).

- **To improve our site and services.** We also may use personal data to improve our site and ensure that content from our site is presented in the most effective manner for you. This may include how we prioritise and display content and what features to build or improve.
- **To Contact You.** We may use your personal data to send e-mail communications, for example notifications about our site and services and to notify you of any changes to our service.
- **For Legal Purposes.** We may use and share personal data to comply with legal obligations and where necessary in relation to your contract with us (either through accepting our online Terms of Service or otherwise) or because you have asked us to do something so that we can enter into a contract with you.
- **To contact you about other services or offers you may be interested in:** If you ask us to keep you up to date via email we may contact you with details about our products and services which we feel may be of interest to you. Where you have given us permission, we may also share your information with those that may be interested in contacting you with information about their products and/or services which may be of interest to you. You may request that we cease contacting you at any time for marketing purposes. To exercise this right please amend your contact preferences on our site or unsubscribe from our mailing list from any marketing email we send [here](#). If you have given us permission to share your information with third parties, please contact such third parties in accordance with their respective privacy terms to stop receiving their communications.
- **Aggregated Data.** The service we provide is dependent on collecting as much information about cash management as we can. This means we may use information that we receive from you in providing the services (including information on payment terms, payment behaviour and cash collection) to allow us to make cash flow predictions or assist with providing the services for other clients. From time to time, we may also share anonymized and aggregated information about users

of our services and information collected from providing those services, such as by publishing a report or providing information to our business partners on trends in cash management, debtor behaviour and demographic of users.

#### 4. Legal basis for processing

- **General.** Except in relation to direct marketing, we process all personal data in order to perform the contract for services entered into with you under our Terms of Service.
- **Marketing.** We will only contact you or pass your details to 3<sup>rd</sup> parties where we have received your consent to do so. This consent may be withdrawn by contacting us here. Any ancillary processing required to conduct the marketing, such as internal profiling, is carried out as a legitimate interest of our business as part of our marketing activities.

#### 5. Disclosure of your information

We may disclose personal data to third parties in the following circumstances or to the following entities:

- **Legal purposes.** Where we are under a duty to comply with any legal obligation under applicable laws.
- **Provision of services.** To provide you and our other customers with the services in accordance with this Privacy Policy and Terms of Service we may share information with our third party service providers for example Amazon Web Services, Heroku, Stripe. For a full list of all third party service providers that we may use please contact us directly at [support@fluidly.com](mailto:support@fluidly.com).
- **Affiliates.** Our subsidiaries and parent company and businesses, and other affiliated legal entities and businesses with whom we are under common corporate control. We shall ensure that all of our parent, subsidiary, and affiliated legal entities and businesses that receive your information from us will comply with the terms of this privacy policy.
- **Third party purchaser.** In the event that we sell or buy any business or assets we will disclose your personal data to the prospective seller or buyer of such business or assets.
- **Enforcing our rights.** In the event that we are required to take action to enforce the terms of this Privacy Policy or the Terms of Service.

We shall ensure that your information is kept in a secure manner and not used for the third party's own purposes unless you have authorised them to do so.

#### 6. Where we store your personal data

The data that we collect from you will be transferred to, and stored at, a destination inside the European Economic Area ("EEA"). It will also be processed by staff operating inside the EEA who work for us or for one of our third party service providers. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy.

#### 7. When we delete your information

If you no longer require our services then you must disconnect our access to you accounting software. Until you disconnect our access we will continue to receive your accounting information.

We will delete any other information we hold about you within 30 days from the date of expiry or termination apart from some limited information that we will retain if it is required for auditing purposes, which may include IP addresses and user login information. We will never retain any financial information once you have disconnected our access to your accounting software.

If you require any assistance on how to disconnect this access please contact us on [support@fluidly.com](mailto:support@fluidly.com).

## **8. Security of information**

All information you provide to us is stored on our secure servers. Any payment transactions will be encrypted using SSL technology. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our site, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

## **9. Methods of communication**

We may contact you for the purposes described in this privacy policy by email, SMS, Push notification or other communication methods depending on both the information and consents you provide to us.

## **10. Access to your information**

The Data Protection Laws give you the right to access information held about you. Your right of access can be exercised in accordance with the Data Protection Laws by contacting us at [support@fluidly.com](mailto:support@fluidly.com).

## **11. Right to request your information is deleted or updated**

If we no longer have a legal basis to process your personal data or if the legal basis that we are relying on is consent and you subsequently withdraw your consent then we will stop processing your personal data. To the extent that you no longer wish to be contacted by us we will need to maintain a record of that to ensure that we do not contact you again in the future.

You are responsible for ensuring that any third party request to be forgotten is applied to any third party personal data that you send to us, we will provide you with reasonable assistance in complying with your obligations as data controller under the applicable Data Protection Laws in relation to any third party requests to be forgotten.

If you believe any of your personal data that we process is inaccurate you are entitled to contact us to correct any inaccuracies at [support@fluidly.com](mailto:support@fluidly.com) and we will correct such inaccuracies.

## **12. Changes to our privacy policy**

Any changes we make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by email. Please check back frequently to see any updates or changes to our privacy policy.

## **13. Contact details**

Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to [support@fluidly.com](mailto:support@fluidly.com).