

# HSBC Open Payments

## Privacy notice

### Overview

This privacy notice explains how we will use the information you provide, or which we collect, in order to provide you with the HSBC Open Payments service.

This Privacy Notice does not apply to your relationship or services with other parts of the HSBC Group (e.g. HSBC UK, HSBC business banking, First Direct, M&S Bank or HSBC in any other countries); they'll provide you with information separately where required.

### How we collect and use your information

This Privacy Notice provides information on:

- ◆ the types of information we collect about you
- ◆ how we collect and use it
- ◆ who we might share it with
- ◆ the steps we'll take to make sure it stays private and secure
- ◆ your rights to your information.

### Who we are

When we say 'we' or 'us', we mean HSBC UK Bank plc, which acts as a data controller in respect of your personal data.

### What information we collect

We'll only collect your information in line with relevant regulations and law. Some of it will come directly from you, e.g. when you interact with the HSBC Open Payments service. We might also get some of it from third parties, or publicly available sources.

Information that you provide to us, e.g.:

- ◆ your bank account provider that you are making the payment from.

Information that we collect or generate about you, e.g.:

- ◆ information about your device or the software you use, e.g. its IP address
- ◆ cookies and similar technologies we use to recognise you and remember your preferences – our cookie policy contains more details about how we use cookies and can be found at [www.hsbc.co.uk/1/2//cookie-policy](http://www.hsbc.co.uk/1/2//cookie-policy)
- ◆ information that we need to support our regulatory obligations, e.g. information about transaction details, consent and authorisation of payment initiation.

Information we collect from other sources, e.g.:

- ◆ information identifying your payment, collected from the retailer you are purchasing the goods and/or services from, such as, price, currency, order ID, time and date of transaction
- ◆ information from your bank account provider that you are making the payment from, such as payment references and confirmation of payment initiation.

### **How we'll use your information**

We'll only use your information where we have a lawful reason for using it. These reasons include where we:

- ◆ need to pursue our legitimate interests (e.g. troubleshooting of the HSBC Open Payments service)
- ◆ need to process the information to enter into or carry out an agreement we have with you (e.g. initiate payment)
- ◆ need to process the information to comply with a legal obligation (e.g. fraud)
- ◆ believe the use of your information as described is in the public interest, e.g. for the purpose of preventing or detecting crime; or need to establish, exercise or defend our legal rights.

The reasons we use your information include to:

- ◆ initiate payments from an online supplier (who provides you with goods and/or services) meaning that you can pay for the goods and/or services directly from your bank account
- ◆ carry out your instructions
- ◆ comply with our legal and regulatory obligations
- ◆ resolve disputes
- ◆ improve the HSBC Open Payments service including analysing how you use it
- ◆ troubleshooting of the HSBC Open Payments service
- ◆ assist in facilitating refunds

### **Who we might share your information with**

We may share your information with others where lawful to do so including where we or they:

- ◆ need to in order to provide you with the HSBC Open Payments service you've requested, e.g. carrying out a payment request
- ◆ have a public or legal duty to do so, e.g. to assist with detecting and preventing fraud
- ◆ need to in connection with regulatory reporting
- ◆ have a legitimate business reason for doing so, e.g. to verify your identity, to enable provision of the HSBC Open Payments service, or to assess your suitability for HSBC Open Payments
- ◆ help support operational processes such as dispute management
- ◆ have asked you for your permission to share it, and you've agreed.

We may share your information with others, including:

- ◆ any member of the HSBC Group
- ◆ any sub-contractors, agents, advisers or service providers of the HSBC Group (including their employees, directors and officers)
- ◆ any regulatory authorities of the HSBC Group
- ◆ third parties such as our vendor who supplies us with the technology for the service, the retailer you made the payment to and bank account provider you made the payment from
- ◆ government, dispute resolution bodies, our regulators, auditors and any party appointed or requested by our regulators to carry out investigations or audits of our activities
- ◆ other parties involved in any disputes, including disputed transactions.

### **How long we'll keep your information**

We keep your information in line with our data retention policy. We may need to retain your information for a longer period where we need the information to comply with regulatory or legal requirements or where we may need it for our legitimate purposes. If we don't need to retain information for this period of time, we may destroy, delete or anonymise it more promptly.

### **How we keep your information secure**

We use a range of measures to keep your information safe and secure which may include encryption and other forms of security. We require our staff and any third parties who carry out any work on our behalf to comply with appropriate compliance standards including obligations to protect any information and applying appropriate measures for the use and transfer of information.

### **Transferring your information overseas**

Your information may be transferred to and stored in locations outside of the United Kingdom [or the European Economic Area] including countries that may not have the same level of protection for personal information. When we do this, we'll ensure it has an appropriate level of protection and that the transfer is lawful. We may need to transfer your information in this way to carry out our contract with you, to fulfil a legal obligation, to protect the public interest and/or for our legitimate interests. In some countries the law might compel us to share certain information. Even in these cases, we'll only share your information with people who have a right to see it.

### **Your rights**

You have a number of rights in relation to the information that we hold about you. These rights include:

- ◆ the right to access information we hold about you and to obtain information about how we process it
- ◆ in some circumstances, the right to withdraw your consent to our processing of your information, which you can do at any time. We may continue to process your information if we have another legitimate reason for doing so
- ◆ in some circumstances, the right to receive certain information you have provided to us in an electronic format and/or request that we transmit it to a third party
- ◆ the right to request that we rectify your information if it's inaccurate or incomplete
- ◆ in some circumstances, the right to request that we erase your information. We may continue to retain your information if we're entitled or required to retain it
- ◆ the right to object to, and to request that we restrict, our processing of your information in some circumstances. Again, there may be situations where you object to, or ask us to restrict, our processing of your information but we're entitled to continue processing your information and/or to refuse that request.

There are many ways you can contact us, including by phone, email, post, or by visiting us in branch in the event you wish to exercise your data subject rights. More details on how you can contact us are set out under the 'More information' section.

### **More information**

You have a right to complain to the UK Information Commissioner's Office by visiting: [www.ico.org.uk](http://www.ico.org.uk).

If you'd like more information on anything we've said in this notice or our Privacy Notice for UK business customers, or to contact our Data Protection Officer, contact us at PO Box 760, Fareham, PO14 9TE addressed "for the attention of the DPO".

This privacy notice may be updated from time to time.