

Data Protection and Privacy Notice

Introduction

In order to provide you with financial planning services we will collect and hold personal data about and on you. We are also required to comply with the General Data Protection Regulation (Regulation (EU) 2016/679 (the “GDPR”) and as such hereby set out details as to how we process your data and your rights.

Why we need your data:

We need your data in order for us to:

- Provide our Wealth Management services to you in accordance with our Letter of Engagement including but not limited to advising you with respect to available financial products and investments, carrying out reviews and updates of your portfolio and our services to you, to reflect changing personal circumstances and current market information and analysis.
- Comply with our regulatory obligations imposed by the Financial Conduct Authority in regard to the relevant ‘Know Your Client’ obligations.
- Comply with the Regulator’s requirements for record keeping for the purposes of audits and reviews, records of transactions undertaken and customer histories for prescribed periods of time as directed.
- Respond to any legitimate legal requests for information about you to the Regulatory authority or pursuant to an order of any court or tribunal having relevant jurisdiction, or as required by law for the purposes of but not limited to combatting fraud, money-laundering and criminal activities.
- Carry out our legitimate business and professional management responsibilities which include, but are not limited to, preparing, verifying and auditing of statutory accounts and tax returns, monitoring and reviewing levels and types of business for marketing and quality control, assessing business risks and standards of services or investigating and resolving complaints.
- Please be aware that the services we provide include advice upon long term investments such as pensions and assurance-based products with long maturation periods. Accordingly, during the pre-maturation term of such long-term investments we may need to Process your Data as required by Regulators, Relevant Third Parties or in accordance with good professional practice to advise you with respect to any issues arising since the date you entered into such long-term investments which may be relevant to the value or effectiveness of such long-term investments.
- We will not use your Data for marketing purposes of any sort.

Holding your data:

We undertake to review the data we hold on you on a regular basis to ensure compliance with data protection law. In the course of any review, we will:

- Delete any data which is trivial or transitory in nature, or which in our opinion is no longer required for the purposes set out above.
- Update the data to ensure that any errors or inaccuracies are corrected.
- Archive data as detailed below.
- Subject to the data retention periods, as detailed further, securely delete the data when it is identified that we no longer need to hold it.

We may retain and process your data for the following periods. In the event that more than one period applies to the same data, we will retain the data to the last such period to expire:

- We will hold any agreements between you and us for a period of 6 years from the termination or expiry of the agreement unless we have been notified of any claim or circumstance which might give rise to a claim under or by reference to such agreements.
- We will process data relating to investments which we have provided advice on and / or arranged for you. We will process such data throughout the entire period you are and remain a client of the firm and for a period of not less than 6 years following our ceasing to provide service to you in regard to those investments. In the case of long-term investments we may process your data until the date of maturity of such long-term investments.
- We will hold data as required by any Regulator until the end of any limitation period imposed by that Regulator, which in the case of the Financial Services Authority is currently 6 years for all types of business undertaken except for Occupational Pension Schemes, which can include Defined Benefit Transfers and Scheme Money Purchase Transfers, whereby the data retention period is indefinite.
- We will hold data as required by any relevant third party until the end of any limitation period imposed by that relevant third party, which in the case of HMRC shall be 7 years, unless we are notified that any period is considered "open" by HMRC in which case it will be until we are notified the period is "closed".
- We will hold data as required for the purposes of any legal proceedings for a period of 6 years following the conclusion of any such proceedings unless a longer period is required pursuant to any court rule or enactment. Proceedings will be taken to have concluded on the expiry of any period given for appealing any final judgment or on the date of concluding any settlement staying all relevant claims if the proceedings were settled before judgement.
- Save for the above, we will hold data for a maximum of 80 years from the date we receive the data.

Archiving data

We will regularly review data and where in our opinion such data has ceased to be Active we will archive it and process it only as Archived Data. Any data which is deemed Archived Data will only be processed in limited circumstances.

All storage of data, whether Active Data or Archived Data will be in accordance with good industry practice and will be undertaken in accordance with organisational systems and procedures, which will be regularly reviewed, to maintain the security of data.

Data portability

On the termination or expiry of any agreement to provide services to you and on your written request, we will, subject to our right to retain copies of data for the purposes set out above, agree to return any data you have provided to us in a structured, commonly used machine-readable format, or transfer the same to a new data controller nominated by you.

General information about your data and your rights:

Where we collect data directly from you, at the time when we do, and to the extent not already set out in this agreement or in any other written materials made available to you prior to our collecting Data, we undertake:

- To make clear to you in writing the name and contact details of the data controller for that Data, and of their representative. For example, where we arrange an investment on your behalf, the data controller in respect of those investments may be the financial institution in question.

- To let you have, where appropriate, contact details for any Data Protection Officer appointed by us, or by any person who acts as a data controller in relation to your data.
- To inform you and make clear the purposes for which the data is to be processed and the legal basis for that processing. In the event that the legal basis to be relied on is that of the legitimate interests of the data controller or any third party, we will inform you as to the nature of those legitimate interests.
- To inform you of the recipients or categories of recipients of Data.
- In the event that the data controller proposes to transfer the data to a country other than those covered by the GDPR, to provide you with details of the safeguards surrounding such transfers and how to obtain a copy of them.
- To inform you of the period for which we propose to hold the data, or where this is not possible, the criteria which we will apply to data retention.
- To remind you of your rights whereby you may:
 - ❖ request access to data of which you are the data subject
 - ❖ object to, or withdraw consent for, the processing of the same
 - ❖ obtain rectification of inaccurate data
 - ❖ prevent data processing for the purposes of direct marketing
 - ❖ object to decisions being taken by automated means and to have the logic behind those decisions clearly explained
 - ❖ claim compensation for damages caused by a breach of the Act
 - ❖ request data erasure

Where you exercise your right to request (via email or post) access to data of which you are the data subject, we will undertake to respond to you within 30 calendar days of receipt of your request. There will be no charge for this service unless the request is manifestly unfounded or excessive in which case we reserve the right to charge a fee or refuse to respond.

You may at any time, by giving notice to us in writing, request that we cease to process your data. We will undertake to comply with any such request as soon as is reasonably practicable.

Where the legal basis for the processing of your data is to adhere to compliance with a statutory or contractual obligation, or the necessary precondition to entering into a contract, including compliance with the requirements of any Regulator, we will inform you as to:

- Whether you are legally required to provide such data, and
- The consequences of failing to provide such data

Where we obtain your data otherwise than directly from you, you will have the same or equivalent rights to those set out above. Save in the circumstance as detailed below, we will inform you which source the data originated from and whether it came from publicly accessible sources. The information to be provided will be in accordance with the following time periods, whichever shall occur first:

- As soon as practicable after obtaining the data and in any event within 1 month
- At the time of our first communication with you using the data
- When the data is first disclosed to another person,

We shall not be obliged to provide you with the information:

- Where you already have this information

- Where we are subject to an obligation of professional secrecy prohibiting the disclosure of the information
- Where disclosure would render impossible or severely impair the achievement of the reasons for which the data is to be processed. In such cases, we will do what we can to protect your rights and freedoms with respect to our processing of the data

You have the right to complain in regard to any aspect of the processing of your data and any breach of the above rights to the relevant supervisory authority, who in the case of the United Kingdom is the Information Commissioners Office, whom may be contacted at:

- Online: www.ico.org.uk
- Phone: 0303 123 1113

Whom we may share your data with:

In order to carry out our legitimate business and to provide you with financial planning services, we have entered into agreements with and will share your information with the following companies, for the purposes of Compliance, IT systems security, data management and control and auditing. Full details of these companies addresses and contact details are available on request:

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| • Compliance and Training Solutions Ltd (Compliance consultants) | • GBG |
| • IRESS (IT and data management) | • Timeline |
| • Kirk Rice (Business audit and management accounts) | • MiCAP |
| • PC Paramedics | • The Verve (Dextra) |
| • exWeb | • Virtual Cabinet |
| • Various Product Providers | • Timetastic (Absence Management) |
| • FinaMetrica | • Calendly (Diary Management) |
| • Microsoft (365 licencing) | • Adobe (Secure Messaging and Electronic Signatures) |
| • Google (Cloud platform for meeting transcription) | • Zoom (Online Meetings and meeting transcription) |

In addition to the above listed companies you will be notified in accordance with the terms of this agreement as to the name (and contact details of the data controller upon request) for any other third-party entity with whom we share and / or transfer your data and their representative.

Marketing:

We will not use your data for marketing purposes of any sort.

Legal Terms:

If any provision, or part thereof, of this agreement is found by any court or administrative body of competent jurisdiction to be invalid, unenforceable or illegal, the other provisions shall remain in force.

In the event of any change in Data Protection Law occurring after the date of this agreement which requires the adoption of revised provisions dealing with data retention or portability, the parties will use all reasonable endeavors to agree such consequential changes to this agreement as may reasonably be required to comply with the requirements of Data Protection Law ("Compliant Terms") and incorporate the same as an amendment to this agreement.

Declaration and Consent:

We take your privacy very seriously and will only use your personal information and data to administer the services we have agreed to provide you with, including but not limited to any products or contracts for investments, pensions, life cover you have made or entered into through our firm or which we have servicing rights for.