

Winter 2018



Privacy Notice for Clients

What is the purpose of this document?

Stables, Thompson & Briscoe Limited is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your relationship with us, in accordance with the General Data Protection Regulation (GDPR).

It applies to all service users, except children and those who do not have capacity.

Stables, Thompson & Briscoe Limited is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice does not form part of any contract with you. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

The kind of information we hold about you

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).

There are certain types of more sensitive personal data which require a higher level of protection, such as information about a person's health or sexual orientation. Information about criminal convictions also warrants this higher level of protection.

We may collect, store and use of personal information about you including the following categories:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.

- Marital status and dependants.
- Bank account details.
- Payment/transaction details.
- Financial information related to income, capital, investments, pensions, tax status, employment status, financial history, financial and retirement plans and objectives.
- Dealings with HMRC.
- Identity documents required to comply with our legal obligations including passport and/or driving licence.
- In relation to the staff of clients – contact details, bank details, salary/wages, other income, pension details, tax status, national insurance number, details of dependants and statutory leave details.

We may also collect, store and use the following more sensitive types of personal information if it is relevant to the advice that we are giving or the services that we provide:

- Information about health, including any medical conditions.
- Information about your nationality.

How is your personal information collected?

We collect personal information about you directly from you and on occasion also from your other (or previous) professional/financial advisers, HMRC and those organisations that hold and or manage your investments.

We may collect additional personal information in the course of our relationship with you.

How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with you (or made on your behalf) and to enable us to comply with legal obligations. In some cases we may use your personal information to pursue legitimate interests, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information include the following:

- Making a decision about providing you with our services.
- To assess the quality of our services.
- To comply with the law regarding data sharing and safeguarding.
- To take/process/administer payment.
- To provide the advice and services that we offer to you.
- Administering the contract we have entered with you.
- Business management and planning, including accounting and auditing and reporting obligations.
- Complying with any legal obligations to which we are subject.
- With your consent, for marketing our services to you and keeping you informed about the services we offer and events and developments within the organisation.
- Dealing with any legal disputes involving you.
- To prevent fraud.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you or we may be prevented from complying with our legal obligations.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

How we use particularly sensitive personal information

"Special categories" of particularly sensitive personal information, such as information about your health, require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations.
3. Where it is needed in the public interest, such as for equal opportunities monitoring or for your care.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving

your consent, or where you have already made the information public.

Situations in which we will use your sensitive personal information

In general, we will not process particularly sensitive personal information about you unless it is necessary for performing the contract with you or complying with our legal obligations. On rare occasions, there may be other reasons for processing, such as it is in the public interest to do so or it is necessary to protect vital interests. The situations in which we will process your particularly sensitive personal information are listed below.

- We will use information about health if it is relevant to the advice and/or services that we provide and to ensure that we are complying with our legal obligations.
- We will use information about your nationality if it is relevant to the advice and/or services that we provide and to ensure that we are complying with our legal obligations including money laundering obligations.

Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or for the performance of the contract with you or made on your behalf. In limited circumstances (although this is unlikely), we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of any contract with us that you agree to any request for consent from us.

Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our Data Protection Policy.

We do not envisage that we will hold information about criminal convictions.

Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Data sharing

We may have to share your data with third parties, including third-party service providers.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We will NOT transfer your personal information outside the EU.

Why might you share my personal information with third parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the contract with you or where we have another legitimate interest in doing so.

Which third-party service providers process your personal information?

"Third parties" includes third-party service providers (including contractors and designated agents) but will usually be more applicable in relation to the sharing of data with national and local state agencies and to satisfy other legal obligations.

How secure is your information with third-party service providers?

Any third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow any third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

What about other third parties?

We may share your personal information with other third parties, for example national and local state agencies – e.g. HMRC, Department of Work and Pensions, your bank, pension providers/administrators/trustees and organisations holding/administering your investments, other of your professional/financial advisers and to satisfy other legal obligations. We may store your data off-site.

We may also need to share your personal information with a regulator, professional body, national or local state agencies or to otherwise comply with the law.

Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon request but include use of appropriate virus protection software, firewalls, password protection, limited access to areas of our IT system, appropriate measures to back-up data, specialist off-site storage of data, locked filing cabinets and/or locked rooms where files are stored, an IT and Communications System Policy governing the use of our systems, appropriate IT monitoring, updates and training.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know or where there is a legal obligation to disclose the relevant information. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our Data Retention Policy which is available upon request.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. We will retain and securely destroy your personal information in accordance with our Data Retention Policy.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact us in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact us in writing. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.