

Privacy Notice (Private Clients)

This privacy notice explains how Kerr Henderson (Financial Services) Ltd (the “data controller”) uses any personal information we collect about you.

What information do we collect about you and how is it collected?

We collect information about you when you engage us for financial planning/financial advice services, for example from forms completed by you or someone on your behalf, or if you send information to us by post, fax or email, or provide information to us by telephone. This information will relate to your personal and financial circumstances. It may also include special categories of personal data such as data about your health, if this is necessary for the provision of our services.

We may also collect information when you voluntarily complete client surveys or provide feedback to us.

Information relating to usage of our website is collected using cookies. These are text files placed on your computer to collect standard internet log information and visitor behaviour information.

Information about connected individuals

We may need to gather personal information about your close family members and dependants in order to provide our service to you effectively. In such cases it will be your responsibility to ensure that you have the consent of the people concerned to pass their information on to us. We'll provide a copy of this Privacy Notice for them or, where appropriate, ask you to pass the privacy information to them.

Why do we need to collect and use your personal data?

The primary legal basis that we intend to use for the processing of your data is for the performance of our contract with you. The information that we collect about you is essential for us to be able to carry out the services that you require from us. Without collecting your personal data we'd also be unable to fulfil our legal and regulatory obligations.

Where special category data is required we will obtain your explicit consent in order to collect and process this information.

How will we use the information about you?

We collect information about you in order to provide you with the services for which you engage us.

We will use particularly sensitive personal information about your health to assess any claims for particular benefits, i.e. ill health or incapacity benefits. We do not envisage having to process information about criminal convictions.

With whom might we share your information?

If you agree, we'll pass on your personal information to our group of companies so that they may offer you their products and services. We won't share your information for marketing

purposes with companies outside our group of companies.

In order to deliver our services to you effectively we may send your details to third parties such as those that we engage for professional compliance, accountancy or legal services as well as product and platform providers that we use to arrange financial products for you.

Where third parties are involved in processing your data we will have a contract in place with them to ensure that the nature and purpose of the processing is clear, that they are subject to a duty of confidence in processing your data and that they will only act in accordance with our written instructions.

Where it is necessary for your personal data to be forwarded to a third party we will use appropriate security measures (usually either encryption or password-protection) to protect your personal data in transit.

To fulfil our obligations in respect of prevention of money-laundering and other financial crime we may send your details to third party agencies for identity verification purposes.

To fulfil our obligations in respect of referencing for individuals subject to the Certification regime we may send details of your time in our employment to future employers.

How long do we keep hold of your information?

You have the right to request deletion of your personal data. We will comply with this request, subject to the restrictions of our regulatory obligations and legitimate interests as noted above.

During the course of our relationship with you we'll retain personal data which is necessary to provide services to you. We'll take all reasonable steps to keep your personal data up to date throughout our relationship.

We're also subject to regulatory requirements to retain your data for specified minimum periods. These are, generally:

- Five years for investment business
- Indefinitely for pension transfers and opt-out business
- Three years for insurance business
- Six years for individuals subject to the Certification regime.

These are **minimum** periods, during which we have a legal obligation to retain your records.

We reserve the right to retain data for longer where we believe it's in our legitimate interests to do so, e.g. for the purpose of defending or participating in a future claim against us. We shall retain your personal data and that of your spouses and/or dependants (if applicable) until the later of 6 years following your death, or 6 years following the death of your spouse.

If you have provided us with personal information and decided not to proceed with our services, we will retain the data for a period of 12 months after which it will be erased.

What rights do you have in relation to the personal information that we hold about you?

We have certain legal obligations, which allow us to use your personal information to provide services to you. We also have what are known as 'legitimate interests' in processing this 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")
- **Request correction** of the personal information we hold
- **Request erasure** of particularly sensitive personal information, which you have provided explicit consent for us to hold. We will ask for your consent to hold particularly sensitive personal information, such as medical information, unless there is an alternative legal basis for us processing this information
- **Object to processing** of 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
- **Request the restriction of processing** of personal information
- **Request the transfer** of 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 our Data Protection Officer, John Kerr, in writing.

Right to withdraw consent

In the event you provided explicit consent to us processing your personal information, you have the right to withdraw your consent at any time. To withdraw your consent, please contact us using the contact details below. Once we have received notification that you have withdrawn your consent, we will no longer process personal data for that purpose and, subject to our retention policy, we will dispose of your personal data securely. In the event you withdraw consent, we may not be able to provide services to you, for example, if you withdraw consent for us to receive your medical information we would not be able to process your claim for ill health benefits.

We will aim to respond to any request received from you within one month from your request.

Marketing

On occasion we may like to send you information about our products and services and those of other companies in our group which may be of interest to you. If you've agreed to receive marketing information, you may opt out at a later date.

You have a right at any time to stop us from contacting you for marketing purposes or giving your information to other members of the group. If you no longer wish to be contacted for marketing purposes, please contact us by email or post.

Other websites

Our website contains links to other websites. This privacy policy only applies to this website so when you link to other websites you should read their own privacy policies.

What can you do if you are unhappy with how your personal data is processed?

You also have a right to lodge a complaint with the supervisory authority for data protection. In the UK this is:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

0303 123 1113 (local rate)

Changes to our privacy policy

We keep our privacy policy under regular review and we will place any updates on this web page when they occur. This privacy policy was last updated in January 2021.

How to contact us

Please contact us if you have any questions about our privacy policy or information we hold about you: by email at dataprotection@kerrhenderson.com

Or write to us at Data Protection, Kerr Henderson (Financial Services) Ltd, 29-32 College Gardens, Belfast BT9 6BT.