

FIDUCIA WEALTH MANAGEMENT LIMITED
Privacy Policy
Q4 2018

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 we have set out how we process your data as well as your rights.

This privacy notice explains what happens to any personal data that you provide to us, or any that we may collect from or about you. It applies to all plans and arrangements as well as the services we provide where we collect your personal data.

Changes to this privacy notice

We may amend the terms of this privacy notice from time to time in order to reflect changes in the law and/or our privacy practices. We encourage you to check this privacy notice for changes whenever you visit our website – <https://www.fiduciawealth.co.uk>

About Us

Fiducia Wealth Management Limited is a company registered in England at Companies House under number 03029164, whose registered office is Dedham Hall Business Centre, Brook Street, Dedham, Colchester CO7 6AD. We are a data controller of your personal data and provide you arrangements and services.

We have a dedicated data protection officer (“DPO”) who you can contact by writing to the above address, for the attention of the DPO.

Why we need your data

This is necessary in order to provide financial planning services to you in accordance with this agreement, which may include but is not limited to financial advice and making recommendations as to investments and financial arrangements which are suitable for you, taking into account financial markets and economic conditions, availability of products and the providers of those products, as well as a detailed analysis of your personal circumstances and requirements.

To comply with our regulatory obligations imposed by the Financial Conduct Authority with regard to the relevant ‘Know Your Client’ obligations. In addition, to comply with the Regulator’s requirements for record keeping for the purposes of audits and reviews, records of transactions undertaken and client histories for prescribed periods of time as directed.

To respond to any legitimate legal requests for information about you by 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.

To carry out our legitimate business and professional management responsibilities to provide you with suitable advice, ensure your portfolio and financial plans continue to be suitable, adhere to anti money laundering requirements and to investigate and resolve complaints.

What form of personal information do we process?

Where relevant, this will include but is not limited to:

- **Personal and contact details**, such as title, full name, contact details and contact details history
- **Your date of birth, gender and/or age**
- **Your nationality and National Insurance Number**
- **Details of beneficiaries**
- **Family members** (if relevant to the arrangements)
- **Records of your contact with us** such as client meetings, by landline, mobile phone or SMS, email and post. If you contact us online using our online services or via a smartphone, details such as your mobile phone location data, IP address and MAC address
- **Arrangements and services** including the associated bank details for payments and withdrawals
- **Policies held**, including bank accounts, legacy policies and new policies
- **Information about your use of plans or services linked to our business partners**, such as insurance policies, savings or financial services and products
- **Information we obtain from third parties**, including information about insurance and financial plans
- **Personal information which we obtain from Money Laundering Agencies** including public and shared credit history, your financial situation and financial history
- **Information about your health and whether you are a vulnerable client**
- **Information about your property**, such as location, value, outstanding mortgage
- **Financial details about you**, such as your salary and details of other income, details of your savings, your expenditure, and payment method(s)
- **Details about all of your existing borrowings and loans**, if relevant
- **Information about your employment status**, if relevant
- **Information about your property occupier status**, such as whether you are a tenant, live with parents or are an owner occupier of the property where you live
- **Your residency and/or citizenship status**, if relevant, such as your nationality, your length of residency in the UK and/or whether you have the permanent right to reside in UK
- **Your marital status, family, lifestyle or social circumstances**, if relevant, the number of dependents you have or if you are a widow or widower)
- **Information about any guarantor** where relevant
- **Third party transactions**; such as whether a person other than the account holder (for example, a trustee) uses the service, information about that person and the transaction
- **Tax information**, if relevant

General information about your data and your rights

Where we collect data directly from you, we will undertake, In addition to the third party companies expressly detailed in this agreement, to inform you in writing of the name and contact details of the data controller for that data and their representative. For example, where we arrange an investment on your behalf with a third party investment manager, the data controller may be the financial institution in question.

To inform you, where appropriate, of the contact details for any Data Protection Officer appointed by us.

To inform you and make clear the purposes and the legal basis for which the data is to be processed. 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 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 of the 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 one 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 this information:

- Where you already have the 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

You have the right to complain with 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, who can be contacted at:

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

Sharing your information with Credit Reference Agencies (CRA)

Credit reference agencies (CRAs) give lenders a range of information about potential borrowers, which lenders use to make decisions about whether they will offer you credit or not. They hold certain information about most adults in the UK.

The three main consumer credit reference agencies in the UK are Callcredit, Equifax and Experian.

Most of the information held by the CRAs relates to how you have maintained your credit and service/utility accounts. It also includes details of your previous addresses and information from public sources such as the electoral roll, public records including county court judgments, and bankruptcy and insolvency data.

The information held by the CRAs is also used to verify the identity, age and residency of individuals, to identify and track fraud, to combat money laundering and to help recover payment of debts. Government bodies may also access this credit data to check that individuals are entitled to certain benefits and to recover unpaid taxes and similar debts.

Credit reference agencies are licensed by the Financial Conduct Authority.

You can find out more about Call Credits Privacy Policy on their web page. This document provides an overview about how Callcredit use and share personal data that they receive and use in connection with credit risk and affordability checking, fraud prevention, anti-money laundering, identity verification and tracing services:

- Online: <http://www.callcredit.co.uk/legal-information/bureau-privacy-notice>

Holding your data

We undertake to review the data we hold 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 below, securely delete the data when it is identified that it no longer needs to be held.

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 details of any agreements between you and us for a period of six years from the termination or expiry of the agreement unless we have been notified of any 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 six years following our ceasing to provide service to you in regard to these investments. In the case of long-term investments we may process your data until the date of maturity.
- 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 six years for all types of business undertaken except for Occupational Pension Schemes, which can include Defined Benefit Transfers and Money Purchase Transfers, where 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 is 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 six 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 to appeal any final judgment or on the date of 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 fifty 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 it will be archived and processed 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 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 and machine-readable format, or transfer the same to a new data controller nominated by you.

Who 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 third parties, for the purposes of Compliance, IT systems security, data management and control and auditing. Full details of the addresses (all UK based) of these companies and their contact details are available on request

Marketing

From time to time we may wish to contact you with details of other investment, pension or financial arrangements and/or services which we think may be of interest and of benefit to you. If you consent to contact for this purpose would you tick the options below to advise how you would like to be contacted:

Post Email Telephone

If you do not tick any of the above options we will reasonably assume that you do not wish to be contacted by us with regard to additional investment, pension or financial arrangements and services, other than if Fiducia Wealth Management believe there is a legitimate interest to provide information which may have an impact on your investments.

We will not use your data for marketing purposes of any sort unless you have expressly given us your prior consent. The use of your data as detailed in this agreement is not affected by whether you choose to consent to the use of data for marketing purposes.

- ◆ From Third Party Investment, Pension or Financial Institutions within the UK:

We may also like to pass on your details to other Investment, Pension or Financial Institutions within the UK so that they may contact you with details of their products and services which may be of interest and/or beneficial to you. If you consent to us passing on your details to third party financial institutions within the UK for this purpose, then please tick the options below in regard to how you would like them to contact you:

Post Email Telephone

If you do not tick any of the above options we will reasonably assume that you do not wish to be contacted by any third party financial institutions within the UK in regard to their investment, pension or financial products and services.

You may withdraw your consent to marketing at any time by giving us notice in writing.

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 endeavours to agree such consequential changes to this agreement as may be reasonable to comply with the Data Protection Law (“Compliant Terms”) and incorporate the same as an amendment to this agreement.

We take your privacy very seriously and will only use your personal information and data to administer the services we have agreed to provide, including but not limited to any arrangements or contracts for pensions, life insurance, equity release and investments including discretionary investment management services which you have made or entered into through our firm.

Declaration and Consent

By signing this Privacy Policy you are confirming your agreement to your marketing preferences as detailed in the 'Marketing' section of this agreement whereby you have given your consent, or otherwise, for either us and/or Third Parties to contact you about additional arrangements and services.

Client Signature:

Client Signature:

Client Name:

Client Name:

Date:

Date: