



## DATA PROTECTION & PRIVACY NOTICE

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) 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 financial planning services to you in accordance with this agreement (and where appropriate to share data with other specific providers for this purpose) which may include but is not limited to giving you financial advice and making recommendations as to investments and financial products which are suitable for you, taking into account current financial markets and economic conditions, availability of products and the providers of those products. We have a legitimate interest in processing your personal data to deliver our services.
- Comply with our regulatory obligations imposed by the Financial Conduct Authority in regard to the relevant 'Know Your Client' obligations. In addition, to comply with the Regulator's requirements for record keeping for the purposes of 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.

### GENERAL INFORMATION ABOUT YOUR DATA AND YOUR RIGHTS:

Loch Fyne Financial Management Ltd is the data controller and have appointed a Data Privacy Manager who can be contacted at [lisa@lochfynefinancial.com](mailto:lisa@lochfynefinancial.com) regarding any data protection or data access matters.

Where you exercise your right to request access to data (via email or post) 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.

We shall not be obliged to provide you with 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 [www.ico.org.uk](http://www.ico.org.uk) | tel: 0303 123 1113

### 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 we no longer need to hold it.

There are many Regulations which require us to keep data for specific periods. We will hold data:

- for 50 years, or if a long-term investment/policy then to maturation (if that's longer)
- indefinitely if data relates to Occupational Pension Schemes
- As required by regulatory authorities and HMRC if longer than 50 years

We reserve the right to eradicate data sooner than this if we deem it appropriate.

### 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.

**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 may share your information with other companies, for the purposes of Compliance, IT systems security, technical services and data management. Full details of these companies addresses and contact details are available on request. These companies store your data in the UK.

**INTERNATIONAL TRANSFER OF DATA:**

Some of the companies whose services we use may store data outside the European Economic Area (for example the USA, or Australia).

**MARKETING:**

We will NOT use your data for marketing purposes. We may however send you information from time to time because we have a legitimate interest in providing general investment commentary, which we believe you may find of interest.

We will NOT pass on your details to other investment, pension or financial institutions within the UK so that they may contact you directly with details of their products and services.

**DECLARATION:**

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, or non-discretionary investment management services you have made or entered into through our firm.

By signing this Data Protection & Privacy Notice you are confirming your agreement to these terms.

You further acknowledge, by signing this Data Protection & Privacy Notice, that you have been made aware of this firm's policy on sharing your data with other companies as detailed in the 'Whom we may share your data with' section of this agreement.

**SIGNATURE:**

**SIGNATURE:**

**CLIENT NAME:**

**CLIENT NAME:**

**DATE:**

**DATE:**

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