

# PRIVACY STATEMENT

May 2018

## 1. INTRODUCTION

We are Whitechurch Securities Limited (Whitechurch), which is authorised and regulated by the Financial Conduct Authority (FCA). Financial Services Register No: 114318 <http://www.fca.org.uk/register>. We are a company registered in England & Wales; registration number 01576951.

We are registered Data Controllers with the Information Commissioner's Office (ICO) by way of the following registered companies:

- Whitechurch Securities Ltd
- Whitechurch Nominees Ltd
- Whitechurch Administration Ltd
- Whitechurch Asset Management Ltd

This Privacy Statement seeks to comply with the requirements of the current legal framework in relation to data processing and the Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (**General Data Protection Regulation**) and as amended by any subsequent UK legislation.

The security of information we hold is extremely important to us. We will ensure that any personal information we process is accurate, adequate, relevant and not excessive, given the purpose for which it was obtained. This Privacy Statement sets out how and why we process personal information and how it will be used, as well as your rights over any information we hold about you.

In this Privacy Statement, we use the terms "we", "us", and "our" (and other similar terms) to refer to Whitechurch and "you" and "your" (and other similar terms) to refer to clients, employees, contractors, job applicants, intermediary partners of a sole trader status and website visitors.

We recommend that you read this document carefully and print and keep a copy for your future reference. In providing us with any instruction or other form of contact, we will assume that you agree to the use of your personal information described in this statement – unless you inform us otherwise.

# PRIVACY STATEMENT

May 2018

## 2. THE DATA WE PROCESS

**2.1** We process personal information for and in the course of delivering the following activities and responsibilities:

- Establishing and managing individual clients' investment portfolios on a discretionary basis
- Administering employment facilities such as references, payments and benefits
- Providing investment market news and insight

**2.2** Depending on the nature of our relationship with you, the data we process will consist of:

- Personal information which may include contact details, financial details, nationality, employment history and marital status.
- Data on partners and other family members, including children, may be included.
- Special Category Data and Criminal Offence Data which may include, physical or mental health status, criminal offences, or related security measures.
- Business data of intermediaries.
- Subject matter (such as interest in ethical investment) and contact preferences.
- Browsing tendencies and selected preferences of visitors to our websites.

## 3. THE SOURCES OF DATA WE PROCESS

**3.1** Information is provided to us directly by you, via phone call, email, post or in person:

- You are a potential or existing client to whom we provide discretionary investment management services; as detailed within the Discretionary Management Services application forms and any subsequent instruction or correspondence.
- You are an Intermediary (such as Financial Advisers, Solicitors and Accountants) who enters into a service agreement with us for the delivery of our services to your clients.
- You are a job applicant or employee who provides information for the purpose of employment consideration, on-going employment and employment benefits.
- Website visitor – we collect, store and use two specific types of information from you:
  - Personal information such as your name, address, telephone number and email address as provided by you if you register or submit an application with us.
  - Information such as your computer's IP address and anonymous information collected from cookies when you are browsing our websites to help us understand how to improve our website and services. Further information on how we collect, store and process this information can be found in the "Cookie Policy" section on our websites.
- We record and monitor telephone calls made to and from (any of) our offices.

**3.2** Information about you is provided to us by other sources, including but not limited to:

- Personal contacts (our clients) who wish to include you in their financial arrangements
- Intermediaries who are in a position to refer our services to you
- Third party service providers such as credit reference agencies or public facing directories of professional services.

# PRIVACY STATEMENT

May 2018

## 4. THE BASIS UPON WHICH WE PROCESS DATA

Depending on the nature of your relationship with Whitechurch, we will process your personal information under one or more of the following lawful bases:

**Contract:** Processing is necessary for the service we provide and contract/s we have with clients or individuals who have asked us to take specific steps before entering into a contract.

**Legal obligation:** Processing is necessary for us to comply with the law (not including contractual obligations) such as providing salary details to HMRC or processing information to fulfil Anti Money Laundering checks.

**Consent:** Individuals have given us clear consent for us to process their personal information for a specific purpose. This may include but is not limited to **Special Category Data**; or communications for marketing promotions; or digital tracking and cookies on our websites.

**Legitimate interests:** Processing is carried out for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your welfare or concerns which overrides our legitimate interests.

## 5. HOW WE USE DATA

Depending on the nature of your relationship with Whitechurch, your personal information will be used in one or more of the following ways:

- Following the receipt of investment instructions from financial advisers we use client information to provide a Discretionary Investment Management Service and manage a client's portfolio in accordance with the terms and conditions set out in the Client Agreement.
- In the provision of employment administration and facilities; payments, benefits, management, assessments and collective working practices (by Whitechurch).
- To share news and insight that we believe will be of interest to you.
- For an overview of volume and movements of visitors to our websites, and readership of our digital communications (e.g. emails), to help us understand how to improve our website and services.
- We record calls made to and from (any of) our offices for training and monitoring.

## 6. HOW LONG WE HOLD ONTO DATA

- Client records – a period of six years or for as long as the data subject is alive – depending on the nature of the data. This is in compliance with financial services industry regulation, as stipulated by the Financial Conduct Authority (FCA).
- Client telephone recordings – are kept for a minimum of five years.
- Employees – the duration of employment and a maximum of six years thereafter subject to FCA regulatory requirements.
- Intermediaries – for the duration that a formal business agreement is in place or the duration in which there is potential interest in our services.

# PRIVACY STATEMENT

May 2018

## 7. SHARING DATA

- We may be required to give information to other organisations for regulatory or auditing purposes; including income details and ISA subscription returns to HM Revenue & Customs
- We may deliver copies or transcripts of telephone recordings to any court, adjudication service or regulatory authority or to any other person as required by law or the FCA Rules.
- We may submit data to institutions and affiliated business partners in order to fulfill our services or carry out individual client instructions.
- We may share contact details with suppliers such as:
  - The provider(s) of our customer relationship management system(s); enabling us, for example, to keep client details up to date.
  - The provider of our email system which allows us to send permitted email communications.
  - The mailing house to facilitate the posting of items such as Client Investment Reports.
  - Agency for the provision of Human Resources services.
- These suppliers are appointed as Data Processors for us and we have contracts in place with them to restrict what they can do with the data we share, and how long they hold and process the data.
- Beyond the provision of necessary services, required transactions and legal obligations, Whitechurch will not disclose information to other parties without your express consent.
- Whitechurch will not transfer or permit the transfer of personal information to any territory outside the European Economic Area (EEA) without prior written consent.
- If we do transfer personal information to countries or jurisdictions which do not provide the same level of data protection as the UK or EEA, we will, if appropriate, issue an enhanced contract (in addition to our main Data Processing Agreement) to ensure that the data is protected.

## 8. STORAGE / SECURITY

We treat information we hold with the utmost care and security. We store data either electronically or in paper format; and have technical and organisational security measures in place to protect your information against unauthorised or unlawful use, and against accidental loss, damage or destruction. We can provide you with full details of our **IT Security Policy** on request.

## **PRIVACY STATEMENT**

May 2018

### **9. ACCESSING AND UPDATING YOUR PERSONAL DATA**

- You have the right, subject to certain exceptions, to request a copy of the personal information we hold about you.
- You have the right to have any inaccuracies corrected, by asking us to make the amendments.
- You have the right to be “forgotten”. This means you have the right to request that information held about you is erased. Under certain circumstances this may not be possible due to regulatory and legal requirements to retain data. However, you should inform us if you think we should not be using the information. We can then restrict the use or wholly encrypt the data as necessary.
- Regarding consent for promotional/non-contractual communications – If you have previously opted in to receive promotional/non-contractual information from us, you have the right to opt out of (or opt back in to) receiving such information at any time.
- You have the right to object to our processing of your personal information. However, please note that this may limit the level of service that we provide to you.

For further information about these rights, please write to us using the contact details provided below.

### **10.COMPLAINTS**

We take care to provide the highest standards of service. However, in the event of a complaint, please contact: The Compliance Director, Whitechurch Securities Limited, The Old Chapel, 14 Fairview Drive, Bristol BS6 6PH. Telephone: 0117 916 6150.

### **11.CHANGES TO THIS PRIVACY STATEMENT**

We reserve the right to revise or supplement this Privacy Statement from time to time, to comply with the law or to reflect changes to our business structure, service or requirements. If necessary we will take appropriate steps to notify you of significant changes to this statement. Updates will also be posted on our websites.

We recommend that you bookmark and periodically review this page to ensure that you are familiar with the most current version and are aware of what information we collect, how we use it and under what circumstances we may share it.

You can determine when this Privacy Statement was last revised by checking the "Date" posted on each page of this document.

### **12.CONTACTING US**

If you have any questions about how your personal information is used please contact: The Compliance Director, Whitechurch Securities Limited, The Old Chapel, 14 Fairview Drive, Bristol BS6 6PH. Email: [dfm@whitechurch.co.uk](mailto:dfm@whitechurch.co.uk) Telephone: 0117 916 6150.