

FARLEY & THOMPSON PRIVACY NOTICE

Effective: May 25 2018

This Privacy Notice describes how we collect and process your data. It is split into the following sections:

1. **OVERVIEW** – Why and how we collect your personal data and where it is stored.
2. **WHO WE ARE** – More about us.
3. **INFORMATION ABOUT YOUR PERSONAL DATA** – What is 'personal data'?
4. **HOW WE COLLECT/USE PERSONAL DATA** – What we do with your data.
5. **HOW AND WHEN WE DISCLOSE PERSONAL DATA** – Who we share it with.
6. **LEGAL BASIS FOR PROCESSING** – What the law says.
7. **WITHDRAWING CONSENT** – If you change your mind.
8. **YOUR RIGHTS** – What you can ask us to do.
9. **TRANSFER OF YOUR DATA TO OTHER COUNTRIES** – Where is it sent?
10. **DATA RETENTION** – How long do we hold it for?
11. **SECURITY** – Safeguarding your personal data.
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13. **HOW TO CONTACT US** - If you have any questions.

1. OVERVIEW

This Privacy Notice describes how we collect and process your Personal Data. We encourage you to read this Privacy Policy as well as our Terms and Conditions (referred to throughout as our "Terms").

Please read this Privacy Policy carefully as your access to and use of our services signifies that you have read, understand and agree to all terms within this Privacy Policy. If you do not agree with any part of this Privacy Policy or our Terms, you should not access or continue to use any of our services or otherwise submit your Personal Data.

2. WHO WE ARE

Farley & Thompson LLP is an independent private client stockbroker located in Bournemouth, UK. In this document we may be referred to as "we," "us," or "our". We provide bespoke personal advice and discretionary managed services to individual private clients on stock and share portfolios only. We do not provide pensions, mortgage or tax advice.

If your investments are held in electronic (rather than paper) format by us, they will be held by 'Sidehurst Ltd' which is a non-trading nominee company.

Any cash on your account will be held in a designated 'client account' with Lloyds Bank.

3. INFORMATION ABOUT YOUR PERSONAL DATA

This Privacy Notice relates to data about you and your interaction with our services.

We define "personal data" as information that can be used to identify you, directly or indirectly, alone or together with other information. This includes things such as your full name, address, email address, phone number, bank details, date of birth, financial details as well as certain cookie identifiers if you use our online valuations service. Details of our cookie policy can be found on our website at www.farleyandthompson.co.uk

Farley & Thompson collects, uses, discloses and processes personal data as outlined in this Privacy Policy in order to operate and fulfil our contract with you by providing the relevant investment services. We do not use your personal data for advertising and marketing and we do not pass on or share your personal data with third parties without your consent, unless it is necessary to fulfil our contract with you, is a legal requirement or for secure off-site data storage and back-up purposes.

4. HOW WE COLLECT AND USE PERSONAL DATA

We collect your Personal Data in a number of ways and for various purposes, including:

- **When you register for an account with us.** We collect personal data from your application form and input this onto our secure computer systems. The original documents are scanned and then retained securely on site. This personal data will include your name, address, phone number, email address, bank details, personal financial details and any other information that you have written on the application form.

We use this data to set up your account and as a basis for providing you with financial services that are appropriate to your personal needs. We may also use this data for internal purposes such as certain research analytics, monitoring, communication, risk management and other administrative purposes. We will never provide your personal data to a third party unless required

to do so by law, for example as part of the annual ISA return to HMRC, or following a specific request by you.

We may use this personal data to recommend other products and services offered by Farley & Thompson such as ISAs or the AIM portfolio service. We may also use your personal data to respond to your request for advice or to address other requests, enquiries or complaints.

- **When you correspond or talk to us on the telephone.** As part of our ongoing business relationship we may use any additional or updated personal information you give us – for example disclosing that you have now retired – to adjust or modify our service to you. These changes will be recorded on our in-house computer systems to ensure that the advice we give remains up-to-date and suitable.
- **When we collect data from third parties or publically available sources.** We may receive personal information about you from third party professional introducers such as solicitors, accountants, IFAs and pension administrators. We may occasionally use data from credit agencies when setting up your account.

5. HOW AND WHEN WE DISCLOSE PERSONAL DATA

- **To other professional service providers.** This may include but is not limited to solicitors, accountants, IFAs and pension administrators. These will typically be parties you already have a relationship with and who we are contacting in order to fulfil our contract with you. These disclosures will only ever be made with your consent, for example sending a copy of your portfolio to your tax advisor or IFA or corresponding with your pension administrator.
- **To legal, compliance or law enforcement services.** This may include law enforcement, government or regulatory bodies such as the FCA or Financial Ombudsman, or other authorised third parties in order to comply with laws, regulations, court orders or other legal obligations.
- **In the event of an actual or contemplated sale or reorganisation of the business.** For the purposes of permitting due diligence of a potential buyer of all or part of the firm or refinancing subject to suitable assurances of secure data handling practices and safeguards.

6. LEGAL BASIS FOR PROCESSING

For the purposes of applicable data protection legislation, Farley & Thompson LLP is the controller of the Personal Data you provide to us. This is known as a "Data Controller". As a Data Controller, we are required to establish the legal basis on which we may process the personal data. **We use your consent as the legal basis for processing your data.** Your consent must be separate, unambiguous and specific for each purpose and freely given.

When you sign and agree to our terms and conditions, you have given your consent to us to use your data in the matter described in this privacy policy in order for us to provide suitable financial services to you. It is against the law for us to provide you with financial advice without having first gained sufficient personal information in order for our advice to be suitable to your personal circumstances.

If you elect not to provide consent for us to process your data, we will not be able to operate an account for you or give you any kind of financial advice.

We also collect and process your personal data for three other prescribed purposes:

- **For the performance of a contract.** We must have and be able to process sufficient relevant personal data in order to be able to give you suitable investment advice and provide managed investment services.

- **To meet legal obligations.** To comply with laws, regulations, court orders or other legal obligations or to assist in an investigation.
- **For legitimate interests.** For example communicating with you, responding to your requests as well as improving and developing our service.

7. WITHDRAWING CONSENT

You may withdraw your consent to the processing of your personal data at any time. This must be done in writing. However, as consent is the basis upon which we process your data, we will no longer be able to provide you with financial services or advice if you withdraw your consent.

8. YOUR RIGHTS

The data protection legislation includes the following rights for individuals concerning their personal data:

- **The right to be informed.** This encompasses your right to 'fair processing information' the details of which we provide through this privacy notice. It emphasises the need for transparency over how personal data is used.
- **The right of access to your personal data.** You have the right to ask us whether we are processing your personal data and to request access to the data and related information on that processing e.g. the purpose of that processing and the basis on which it was gathered. We must provide you with this data within one month and without cost. (Additional copies may incur a reasonable fee).
- **The right to rectification.** You are entitled to have your personal data rectified if it is inaccurate or incomplete.
- **The right to erasure.** You have the right to ask us to delete your personal data when (i) your personal data is no longer necessary for the purposes for which it was originally collected or processed or (ii) when you withdraw your consent to it being processed. Typically Farley & Thompson retain personal data for seven years after the end of the relationship to comply with EU law.

Note: The data controller is entitled to refuse the right to erasure if it has overriding legitimate grounds not to erase. This may include instances where the data could be retained for use in defence of a claim or be relevant to a criminal or other judicial or legal investigation.

- **The right to restriction of processing.** In certain circumstances you have the right to request the limiting of processing of your personal data, including when the accuracy of your personal data is contested and when the processing is unlawful and you oppose its erasure.
- **The right to data portability.** You have the right to receive the personal data that we hold on you in a structured, commonly used and machine readable format as well as the right to have this data transmitted directly to another controller.
- **The right to object.** You have the right to object to your data being processed for the purposes of profiling and direct marketing purposes as well as for the purposes of scientific/historical research and statistics.
- **The right not to be subject to automated decision-making including profiling.** You may object to processing of your data that may result in a damaging decision being taken without human intervention.

9. TRANSFER OF YOUR PERSONAL DATA TO OTHER COUNTRIES

The personal data Farley & Thompson processes, and all associated services and systems including back-ups is housed on servers in the United Kingdom. If you are located outside of the United Kingdom, please be aware that the data protection and privacy laws in the United Kingdom may offer a different or lower level of protections than in your country/region.

Please be aware that any email correspondence with Farley & Thompson is routed through Microsoft Exchange servers that are located in data centres worldwide.

10. DATA RETENTION

We will retain your personal data for as long as you maintain an account with us or as long as otherwise necessary.

Investment firms are obliged for records to be kept of all services, activities and transactions undertaken which are sufficient to enable the relevant authority to fulfil its supervisory tasks and to perform the enforcement actions under the MiFID 2 and Market Abuse Regulations.

Typically this will be for seven years after the end of the relationship. We will also retain your personal data as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. Where we no longer need to process your personal data for the purposes set out in this privacy policy, we will archive it.

11. SECURITY

Farley & Thompson takes the protection of your personal data very seriously. We have implemented rigorous technical and organisational safeguards to protect against unauthorised or unlawful processing of personal data and against accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data. Please be advised however that the security risks associated with the storage and transmission of personal data can never be fully eliminated.

12. CHILDREN

Farley & Thompson do not collect personal data directly from children under the age of 18. We do operate a Junior Stocks and Shares ISA where personal information is gathered directly from a parent. A child cannot access a Junior ISA or open an account under the age of 18. If we become aware that a child under 18 has provided us with personal data without parental consent, we will take steps to remove the data and cancel the child's account.

13. HOW TO CONTACT US

If you have any questions, comments, or concerns about how we handle your personal data, including exercise of your rights as detailed above, please contact us by post, telephone or email at:

Farley & Thompson
Pine Grange
Bath Road
Bournemouth
BH1 2NU

Tel: 01202 295000

email: enquiries@farleyandthompson.co.uk