



## Independent Financial Advisers

### Privacy Notice

**The Data Protection Act and General Data Protection Regulation (GDPR) requires us to manage personal information in accordance with Data Protection Principles and in particular requires us to process your personal information fairly and lawfully.**

**The privacy and security of your personal information is extremely important to us. This privacy policy explains how and why we use your personal data, to make sure you stay informed and can be confident about giving us your information.**

#### **What Personal Data do we collect about you?**

Your personal data (any information which identifies you, or which can be identified as relating to you personally for example, name, address) will be collected and used by us to comply with our legal obligations when providing the services as further described below.

The personal data you give us may include your gender, name, address, email address, contact number, date of birth, national insurance number, work details and financial information ('personal information') to provide our services to you and verify your identity.

This may require us, where necessary, to pass your personal information to electronic verification providers, product providers or other financial firms such as platform providers, fund managers, insurers, banks and lenders.

#### **Information about connected individuals.**

We may need to gather personal information about your close family members such as 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.

#### **Purpose of processing your personal data?**

The lawful primary basis for the processing of your '*Personal data*' is under a '*performance of our contract*' with you.

Where you ask us to assist for example, your insurance needs, we will ask for personal data revealing e.g. health (*Sensitive Personal Data*) and this will be used to make enquiries of insurance providers. This will be processed under "*processing is necessary for the establishment, exercise or defence of legal claims*". The information that we collect about you is essential for us to be able to carry out the services that you require from us effectively.

Without collecting your personal data we would be unable to fulfil our regulatory and legal obligations.

### **How will we use the information about you?**

We collect information about you in order:

- To deliver products and services for which you engage us
- To prevent and detect crime including (e.g. fraud, terrorist financing and money laundering).
- To undertake risk management

### **How to contact us?**

Please contact us if you have a query about our Privacy policy or information we hold about you. Under our regulatory obligations a relevant firm has to appoint a Money Laundering Reporting Officer (MLRO) as a Control Function (CF11). In the first instance you should contact:

Mr John E. Mott (Joint MD)  
6a Harewood Yard  
Harewood  
Leeds  
West Yorkshire  
LS17 9LF

**T:** 0113 3873470 (switchboard)

**E:** [info@smgfs.com](mailto:info@smgfs.com)

In the event the MLRO is not available the query will automatically be referred to the Compliance department.

### **Who might we share your information with?**

We will use the information to meet our compliance obligations, to comply with laws and regulations that we are subject to and to share with our regulators the Financial Conduct Authority (FCA) and other regulators and authorities.

This may include using information to help detect or prevent crime (including terrorism financing, money laundering and other financial crimes) the National Crime Agency (NCA). We will only do this on the basis that it's needed to comply with a legal obligation or it's in our legitimate interests and that of others.

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, product and platform providers that we use to arrange financial products for you.

Where third parties are involved in processing your data we'll 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'll only act in accordance with our written instructions.

## **Which third-party service providers process my personal information?**

In addition to product providers and fund managers that we recommend to you, the following activities are also carried out by third-party service providers: *'Provision of administration, Identification and Money Laundering checks, Research and IT systems.'*

- Adviser Asset & Defaqto – Research tool providers
- Iress UK – Back office system (Adviser Office)
- Watermark – Back office system (Volume)
- PCM – IT systems
- SmartSearch – Electronic Identification

Any Data processed by such parties is used only to the extent required by them to perform the services that we request. Any use for other purposes is strictly prohibited.

Furthermore, any Data that is processed by third parties will be processed within the terms of this privacy policy and in accordance with the General Data Protection Regulation.

## **How long do we keep hold of your information?**

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
- Three years for mortgage business
- Indefinitely for pension transfers and opt-out business
- Three years for insurance business

We may need to retain information for a longer period where we need the information to comply with regulatory or legal requirements or where we may need it for our legitimate purposes (e.g. to help us respond to queries or complaints, fighting fraud and financial crime, responding to requests from regulators, etc.).

You have *'individual rights'* (see below) for example, the right to request deletion of your personal data. We will consider this request, subject to the restrictions of our regulatory obligations and legitimate interests as noted above.

## **How can I access the information you hold about me?**

The right of access, commonly referred to as a *'subject access request'*, gives you the right to obtain a copy of your personal data (not others) as well as other supplementary information.

A request may be made verbally or in writing. Although the GDPR does not specify how to make a valid request we would ask that you make it clear that you are requesting a copy of your own personal data.

In most cases we cannot charge a fee to comply however, where the request is manifestly unfounded or excessive we may charge a "reasonable fee" for the administrative costs of complying with the request. We can also charge a reasonable fee if you request further copies of the data following a request.

We will comply with your request within 1 month.

## **Rights of individuals?**

As an Individual you have a number of rights in relation to the information that we hold about you. These rights include:

1. "The right to be informed...*as per this Privacy notice*"
2. "The right of access...*we will provide a copy of the data within 30 days*"
3. "The right to rectification...*of any inaccuracies or omissions in your data*"
4. "The right to erasure and to be forgotten...*personal data is no longer necessary for the purpose it was originally collected, but subject to the basis of processing*"
5. "The right to restrict processing...*to request restriction or suppression although not an absolute right*"
6. "The right to data portability...*you obtain and reuse your personal data for your own purpose however, it is your responsibility to check the receiving controller complies with the GDPR*"
7. "The right to object...*right to object to the processing or personal data in certain circumstances*"
8. "Rights in relation to automated decision making and profiling... *where decisions may be taken without human intervention*".

Individuals (including individuals connected to your business) can exercise their rights by contacting us using 'How to contact us' as set out above. However, we will consider this request, subject to the restrictions of our regulatory obligations and legitimate interests as noted above.

## **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

T: 0303 123 1113 (local rate) or

W: [www.ico.org.uk](http://www.ico.org.uk)

## **Changes to our privacy policy.**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates when they occur.

This privacy policy was last updated on 18 May 2018.