

Privacy Policy

Introduction

At Thomson Ferrie LLP we take your privacy very seriously. We ask that you read this Privacy Policy carefully as it contains important information on who we are, how and why we collect, store, use and share personal data, your rights in relation to your personal data and on how to contact us and supervisory authorities in the event you have a complaint.

Italicised words in this Privacy Policy have their meaning set out in the Glossary of Terms at the end of this document.

Purpose of this Privacy Policy

This Privacy Policy lets you know how we collect and process your personal data through the use of:

- *Our* advice service (including communications with *our* advisers)
- *Our* website (including the completion of an enquiry form)
- *The Smartr365 Platform*
- Other third parties such as *mortgage lenders*

This version of the Privacy Policy was last updated in **January 2021**.

Who we are

Thomson Ferrie LLP (“*we*”, “*us*” or “*our*” in this Privacy Policy) provide Independent Financial Advice and *our* company is registered in Scotland under company number: SO302408. *Our* registered office is at 15 Townhead, Kirkintilloch, Glasgow, Scotland, G66 1NG.

Thomson Ferrie LLP is authorised and regulated by the Financial Conduct Authority under Financial Services Register number: 504710. You can find more details about how we are regulated in our **Initial Disclosure Documents**.

We collect, use and are responsible for certain personal data about you. *We* are required to comply with *data protection regulation* and *we* are responsible as a *data controller* of that personal data for the purposes of these laws.

The personal data we collect and use

In the course of providing our service to you we may collect the following personal data when you provide it to us:

- *Contact information*
- *Identity information*
- *Employment status*
- *Financial information*
- Proof of address such as utility and council tax bills
- Banking information including account details, card details, and bank statements
- Details of your dependants and/or beneficiaries under a policy
- *Lifestyle information*
- *Health information*
- *Vulnerability details*
- Data about criminal convictions or offences
- Marketing & Communications data (i.e. your marketing preferences)
- Usage data (e.g. how you use our website and services)

If you are providing information about another person, we expect you to ensure that they know you are doing so and are content with their information being provided to us. You might find it helpful to show them this privacy policy and if they have any concerns please contact us in one of the ways described below.

How we collect your personal data

We gather personal information throughout the advice process to provide you with tailored recommendations. We collect this information using different methods including:

- Direct interaction
- Indirect interaction such as where you complete data capture forms
- Gathering information from third parties where you have given your consent to do so
- Publicly available sources such as the electoral register

How we use your personal data

We will use your personal data:

- to correspond with you
- to update *our* records
- as necessary to research and advise you on the appropriate *product* for your needs
- to manage and review your *products*
- to perform tasks in relation to our services
- to obtain feedback from you
- to send you marketing information where we have asked for your consent to do so
- to engage with third-party service providers with which we have referral/introducer arrangements with in order to assess your eligibility to benefit from enhanced rates and services
- on the *Smartr365 platform*
- when you exercise your rights under data protection law and make requests
- for compliance with legal and regulatory requirements and related disclosures

You are free at any time to change your mind and withdraw your consent. The consequence might be that we cannot do certain things for you.

Special category data

Certain types of personal data are considered more sensitive and so are subject to additional levels of protection under data protection legislation. These are known as 'special categories of data' and include data concerning your health, racial or ethnic origin, genetic data and sexual orientation. Data relating to criminal convictions or offences is also subject to additional levels of protection.

We may process:

- *health information* and *lifestyle information* when providing *intermediary services* in relation to a protection insurance product; and/or
- criminal conviction or offence information when providing *intermediary services* in relation to a general insurance product

In addition to the lawful basis for processing this information set out above, we will be processing it either:

- (i) for the purpose of advising on, arranging, or administering a contract; or
- (ii) for the establishment, exercise, or defence of legal claims

In the course of our activities relating to the prevention, detection and investigation of financial crime, we may process criminal conviction or offence information.

Where we do so, in addition to the lawful basis for processing this information set out above, we will be processing it for the purpose of compliance with regulatory requirements relating to unlawful acts and dishonesty.

Marketing

We may use personal data we hold about you to help us identify, tailor and provide you with details of products and services from us that may be of interest to you. We will only do so where we have obtained your consent (i.e. you have chosen to **opt in**) and have a legitimate business reason to do this and will do so in accordance with any marketing preferences you have provided to us.

In addition, where you provided your consent, we may provide you with details of products and services of third parties where they may be of interest to you.

You can **opt out** of receiving marketing **at any time**.

If you wish to amend your marketing preferences please contact us:

By phone: 0141 775 0799

By email: graham@thomsonferrie.co.uk

By Post: Thomson Ferrie LLP
Office 5
8-10 Glasgow Road
Kirkintilloch
G66 1SH

Whether information has to be provided by you, and if so why

We will tell you if providing some personal data is optional, including if we ask for your consent to process it. In all other cases you must provide your personal data in order for us to provide you with *intermediary services*.

Data Security

We have appropriate security measures in place to prevent personal data from being accidentally lost, used, or accessed in an unauthorised way. We limit access to your personal data to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Data Retention

We will hold your personal data for differing periods of time depending upon the reason we have for processing it. These retention periods are set out below:

- Retention in case of queries: we will retain your personal data for as long as we reasonably consider it necessary to deal with your queries (e.g. any questions you may have in relation to the services)
- Retention in case of claims: we will retain your personal data for as long as we reasonably consider that you might legally bring a claim against us
- Retention in accordance with legal and regulatory requirements: we will retain your personal data after we have ceased providing services to you for as long as we are required/permitted to retain it for based upon our legal and regulatory obligations

Transfer of your information out of the EEA

We will not transfer your personal data outside of the European Economic Area or to any organisation (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

Your rights

You have legal rights under *data protection regulation* in relation to your personal data. These are set out under the below headings:

- To access personal data
- To correct / erase personal data
- To restrict how we use personal data
- To object to how we use personal data
- To ask us to transfer personal data to another organisation
- To object to automated decisions
- To find out more about how we use personal data

We may ask you for proof of identity when making a request to exercise any of these rights. We do this to ensure we only disclose information or change your details where we know we are dealing with the right individual.

We will not ask for a fee, unless we think your request is unfounded, repetitive or excessive. Where a fee is necessary, we will inform you before proceeding with your request.

We aim to respond to all valid requests within one month. It may however take us longer if the request is particularly complicated or you have made several requests. We will always let you know if we think a response will take longer than one month. To speed up our response, we may ask you to provide more detail about what you want to receive or are concerned about.

We may not always be able to fully address your request, for example if it would impact the duty of confidentiality we owe to others, or if we are otherwise legally entitled to deal with the request in a different way.

To access personal data

You can ask us to confirm whether or not we have and are using your personal data. You can also ask to get a copy of your personal data from us and for information on how we process it.

To rectify/erase personal data

You can ask that *we* rectify any information about you which is incorrect. *We* will be happy to rectify such information but would need to verify the accuracy of the information first.

You can ask that *we* erase your personal data if you think *we* no longer need to use it for the purpose *we* collected it from you.

You can also ask that *we* erase your personal data if you have either withdrawn your consent to *us* using your information (if *we* originally asked for your consent to use your information), or exercised your right to object to further legitimate use of your information, or where *we* have used it unlawfully or where *we* are subject to a legal obligation to erase your personal data.

We may not always be able to comply with your request, for example where *we* need to keep using your personal data in order to comply with *our* legal obligation or where *we* need to use your personal data to establish, exercise or defend legal claims.

To restrict our use of personal data

You can ask that *we* restrict *our* use of your personal data in certain circumstances, for example:

- where you think the information is inaccurate and *we* need to verify it;
- where *our* use of your personal data is not lawful but you do not want *us* to erase it;
- where the information is no longer required for the purposes for which it was collected but *we* need it to establish, exercise or defend legal claims; or
- where you have objected to *our* use of your personal data but *we* still need to verify if *we* have overriding grounds to use it

We can continue to use your personal data following a request for restriction where *we* have your consent to use it; or *we* need to use it to establish, exercise or defend legal claims, or *we* need to use it to protect the rights of another individual or a company.

To object to use of personal data

You can object to any use of your personal data which *we* have justified on the basis of our legitimate interest, if you believe your fundamental rights and freedoms to data protection outweigh *our* legitimate interest in using the information. If you raise an objection, *we* may continue to use the personal data if *we* can demonstrate that *we* have compelling legitimate interests to use the information.

To request a transfer of personal data

You can ask *us* to provide your personal data to you in a structured, commonly used, machine-readable format, or you can ask to have it transferred directly to another *data controller* (e.g. another company).

You may only exercise this right where *we* use your personal data in order to perform a contract with you, or where *we* asked for your consent to use your personal data. This right does not apply to any personal data which *we* hold or process outside automated means.

To contest decisions based on automatic decision-making

If *we* made a decision about you based solely by automated means (i.e. with no human intervention), and the decision made by *us* produces a legal effect concerning you, or significantly affects you, you may have the right to contest that decision, express your point of view and ask for a human review. These rights do not apply where *we* are authorised by law to make such decisions and have adopted suitable safeguards in *our* decision-making processes to protect your rights and freedoms.

You can contact us for more information

If you are not satisfied with the level of information provided in this privacy notice, you can ask *us* about what personal data *we* have about you, what *we* use your information for, who *we* disclose your information to, whether *we* transfer it abroad, how *we* protect it, how long *we* keep it for, what rights you have, how you can make a complaint, where *we* got your data from and whether *we* have carried out any automated decision making using your personal data.

If you would like to exercise any of the above rights, please email or write to Graham Thomson at the contact details provided below and:

- let us have enough information to identify you e.g.. name, address, date of birth;
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and
- let us know the information to which your request relates

Our supervisory authority

Thomson Ferrie LLP is registered as a *data controller* on the UK data protection public register under registration number Z193757X. We take your privacy very seriously and hold your personal information and documentation securely.

If you are not happy with the way we are handling your information, we ask that you please try to resolve any issues with us.

However, you have a right to lodge a complaint with the Information Commissioners Office (ICO). It has enforcement powers and can investigate compliance with *data protection regulation* (www.ico.org.uk).

How to contact us

Please contact Graham Thomson if you have any questions about *our* Privacy Policy or the information we hold about you.

By phone: 0141 775 0799

By email: graham@thomsonferrie.co.uk

By Post: Thomson Ferrie LLP
Office 5
8-10 Glasgow Road
Kirkintilloch
G66 1SH

Glossary of Terms

we, us or our	Thomson Ferrie LLP A Limited Liability Partnership incorporated under the Limited Liability Partnerships Act 2000 registered in Scotland (Company number: SO302408) and having its registered office at 15 Townhead, Kirkintilloch, Glasgow, Scotland, G66 1NG.
data controller	means a natural or legal person (such as a company) which determines the means and purposes of processing of personal data. For example, we are your data controller as we determine how we will collect personal data from you, the scope of data which will be collected, and the purposes for which it will be used in the course of us providing you with <i>intermediary services</i>
data protection regulation	applicable data privacy and protection laws
FCA	the Financial Conduct Authority, the independent watchdog that regulates financial services
Smartr365 Platform	<i>We use the Smartr365 platform provided by Smartr365 Finance Ltd, a third party, to capture, store and process personal information.</i> Please see their Privacy Policy for End Clients for further information: https://www.smartr365.com/privacy-policy-end-clients/
employment status	this is information about your work such as whether you are employed, self-employed, unemployed, a student or on job seeker allowance
contact information	these are details that can be used to contact a person, including (but not limited to): title, first name, surname, personal telephone number, fax, email address, home address, country, postcode or city of residence. This may also include work contact information such as work telephone number, fax, work email and work address
financial information	this is information relating to your financial status, including salary/income, outgoings/expenditure, tax rate, P60, assets/liabilities, credit commitments and any debts
health information	this is information relating to your medical history, including symptoms, diagnoses, procedures, and outcomes, as well as information about your height and weight. This could include previous and current or persistent medical conditions and family medical history as well as GP or specialist details

identity information		this is any information that can be used to distinguish a person or verify their identity, such as name, date of birth, place of birth, gender, marital status, passport, driving licence etc.
intermediary services		<p>these are the services we provide to you in relation to the products, which may include:</p> <ul style="list-style-type: none"> • Advising on regulated mortgage contracts • Arranging (bringing about) regulated mortgage contracts • Making arrangements with a view to regulated mortgage contracts • Advising on investments (except on Pension Transfers and Pension Opt Outs) • Arranging (bringing about) deals in investments • Making arrangements with a view to transactions in investments • Advising on P2P agreements • Agreeing to carry on a regulated activity
lenders		a mortgage lender (for a list of current lenders which we work with, please contact <i>us</i>)
lifestyle information		this includes both work and leisure behaviour patterns. Most relevant to your products may be your smoker status, alcohol consumption, health, retirement age and exercise habits
product		this is an investment, pension, mortgage, protection and/or general insurance product in respect of which we provide <i>intermediary services</i> to you
product provider		a company which provides investment, pension, protection and/or general insurance products (for a list of product providers which we work with, please contact <i>us</i>)
sanction check information		this is information relating to your politically exposed persons (PEPs) status and Her Majesty's Treasury financial sanctions status, which is recorded to prevent fraud and money laundering
vulnerability		<p>a vulnerable consumer is someone who, due to their personal circumstances, is especially susceptible to detriment, particularly when an advisory firm is not acting with appropriate levels of care.</p> <p>These customers are more likely to suffer severe detriment if something goes wrong.</p> <p>Details of vulnerability fall into the following categories: health; resilience (financial); life events; and capability (financial knowledge/ confidence)</p>