



Privacy Policy

The Purpose of this Policy

As part of our arrangement with you, Herbert Scott Ltd (“we”, or “us”, or “our”) has certain obligations under privacy laws, including the Data Protection Act (the “Act”) to notify you how we will process any personal information we collect about you and your wider family or dependants. This Policy explains what personal information we collect, why we collect it, how we use it and who we may share it with.

You may be assured that we will treat all personal information as confidential and will not process it other than for a legitimate purpose. Steps will be taken to ensure that the information is accurate, kept up to date and not kept for longer than is necessary. Measures will also be taken to safeguard against unauthorised or unlawful processing and accidental loss or destruction or damage to the information.

The Data Protection Officer is Kevin Scott, Director of Herbert Scott Ltd.

How will my personal data be collected and processed?

We may ask you to provide personal information by filling in hard copy forms and documents or corresponding with us by phone, email, letter or otherwise, or during the course of our meetings with you.

We collect and process personal data about you for the purposes of providing advice, administration and management services.

Depending upon the types of products and services you require, we may also need to collect information from and about you which the law considers to be sensitive, which we refer to as “special category personal data”.

You have freedom of choice when it comes to your decision as to whether you provide us with personal or special category personal data. In addition to your right to request that we stop processing this data at any time, you have an opportunity at the end of this Policy to choose not to provide special category personal data to us at all.

You should however note that if you exercise this right or subsequently request that we stop processing all or part of your personal data and/or special category personal data, this could impact upon our ability to provide you with certain types of products and services and may ultimately result in us being unable to provide them to you at all.

Types of personal data we collect and why we collect it?

Identity details including your name and date of birth. We may ask for copies of identity documents in which case we may collect details including your place of birth and residential address:

- To carry out money laundering and financial checks and for fraud and crime prevention and detection purposes.
- We will only ever use copies of identity documents for this purpose.
- We collect and process this personal information in order to comply with our legal and regulatory requirements.

Your contact details including your name, postal, phone and email address(es) and other personal details about you including your title, job title, marital status and date of birth:

- To contact you in order for us to manage, administer and provide our services to you.
- To respond to any correspondence and service-related enquiries you send to us in respect of our services.
- To discuss products or services for which you apply or may be interested in applying for.
- To manage any applications, you make for products or services.
- To communicate any updates to you including any changes to our services, the terms and conditions of any services which we have provided to you, any changes to this Policy and to our websites.
- To contact you in order to receive your feedback on our services and to participate in related surveys.

Financial information relating to you, including pension contributions and current values, salary, bank account balances, credit card balances details of investments and payment card details:

- To evaluate your eligibility for products.
- To enable us to advise you on your financial circumstances and the appropriateness of specific courses of action and products.
- We collect and process this personal information for our legitimate business interests.
- To enable you to make payments for our services.
- We collect and process this personal information as is necessary for the entry into and performance of any agreements between us (i.e. to assess whether you are eligible for products).

Details of contact that we have had with you such as meetings with you, fact-finding discussions and documentation, recommendations, referrals and quotes.

Details of services you have received:

- To allow us to provide a professional service to you and to contact you with information about other services of ours that we think you may be interested in.
- We collect and process this personal information for our legitimate business interests.

Details of your dependents (name, address and date of birth):

- To enable us to provide you with services that you have requested that would involve, or have an impact on, your dependents (who may be adults or minors). Where those dependents are adults, please make sure that you have their permission to provide us with their personal information.

All the personal information described above:

- We may disclose your personal information to third parties where we are required to do so to comply with applicable laws and regulatory requirements including in circumstances where we are required to do so by a Court Order, Regulatory Authority or any other third party with the lawful right to request and receive the personal information we hold about you (including law enforcement agencies and tax authorities).

- We may also use your personal information where it is necessary for us to take legal advice to establish our legal rights, to bring a claim against you or any related parties or to defend a claim from you or any related parties.
- We collect and process this personal information for our legitimate business interests including to carry out our own internal business planning, compliance, training, audit and quality assurance purposes.

Types of special categories of data we collect and why we collect it?

Information about your physical or mental health or condition:

- Certain products and services that you request may require this information. Specifically, in order for us to advise you on and to submit applications for health or life insurance products and services.
- This information will be used to obtain accurate quotes and to advise on the suitability of products (as insurance premiums and eligibility for products will in part depend on your physical and mental health).
- We will usually collect this information in the course of meetings with you, on specific questionnaires or in the process of completing an application form for such products and services.

The commission or alleged commission of any offence by you.

- Any proceedings for an offence committed or alleged to have been committed by you, including the outcome or sentence in such proceedings.

Your sex life or sexual orientation, racial or ethnic origin, Membership of a Trade Union, political opinions, religious or similar beliefs

- Some providers may ask for this information in the course of your application for their products or services. We will never ask for this information for our own purposes.

Who might my personal data be shared with?

We may disclose your personal and sensitive category personal data to the following categories of recipients: -

- Providers of financial services, insurance and investment products and services to submit applications on your behalf and receive updates.
- To our suppliers and partners in order for them to help us provide services to you, which includes, our IT system providers, audit and regulatory compliance support services.
- With your permission, members of your family, such as your spouse or partner.
- With your permission, your associated professional service providers, such as accountants, solicitors and brokers.
- Other financial institutions or regulatory bodies with whom information is shared for money laundering checks and other fraud and crime prevention purposes.
- To any national and/or international regulatory, enforcement body, government agency or court where we believe disclosure is necessary.

When and how we record communications?

At present, we do not tape telephone conversations. Instead we record these communications via a written document, which provides a summary of our discussions for our record.

We do electronically save alternative correspondence such as email, instant messaging, chat room, fax and other electronic communications.

Some of the personal data that we maintain will be kept in paper files, while other personal data will be included in computerised files and electronic databases.

We record communications between us in order to comply with our legal and regulatory requirements – as a regulated financial adviser, the law requires us to record these communications.

Your Data Protection Rights

You have the following data protection rights.

- If you wish to access, correct, update or request deletion of your personal information, you can do so at any time. Reasons why we may not be able to delete your data are outlined in the 'Data Retention' section.
- In addition, you can object to the processing of your personal information, ask us to restrict processing of your personal information or request portability of your personal information.
- You have the right to opt-out of marketing communications we send you at any time.
- You can withdraw your consent for us to collect and process your personal data at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- You have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries (including the US and Canada) are available at http://ec.europa.eu/justice/data-protection/article-29/structure/data-protection-authorities/index_en.htm

Should you wish to exercise your rights, please contact us as detailed in the 'How to contact us' section.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

International Data Transfers

In order to provide services to you we may be required to pass your personal information to parties located outside of the European Economic Area (EEA) in countries that do not have Data Protection Laws equivalent to those in the UK. Where this is the case we will take responsible steps to ensure the privacy of your information.

Direct marketing

We may wish to provide you with information about new products, services, promotions, and other information in which we think you may be interested. We may send you such information by postal mail, fax, email and telephone; dependent on your preferred delivery method.

Data retention

We must retain personal information we collect from you where we have an ongoing legitimate need to do so, for example:

- to provide you with a product or service you have requested us to provide,
- to perform our contractual obligations to you;
- to comply with applicable legal, tax or accounting requirements;
- to defend or manage any claims or complaints between us, you and any relevant third party including taking legal advice in respect of such claims in order to establish, exercise or defend our legal rights or such claims. This would include complaints and claims which you may bring against us or which are submitted to a court, regulatory authority or ombudsman.

When we have no ongoing legitimate need to process your personal information, we will either delete or anonymise it or, if this is not possible, then we will securely store your personal information and isolate it from any further processing until deletion is possible.

Updates to this Policy

We may change or update this Policy to maintain our compliance with applicable law and regulation or following an update to our internal practices. When we update our Policy, we will take appropriate measures to inform you, consistent with the significance of the changes we make.

How to contact us

If you would like to contact us in relation to this Policy or if you have any other questions in respect of our processing of your personal information, please contact our Data Protection Officer, Kevin Scott on 01273 407500 or enquiries@herbertscott.co.uk.