



BROOKS MACDONALD

Privacy Notice

Brooks Macdonald Asset Management Limited (Brooks Macdonald or we/us) is committed to protecting the privacy of the people that we receive information about. This means that we take steps to lawfully, fairly and transparently process any personal data that is made available to us, in accordance with the General Data Protection Regulation (Regulation (EU) 2016/679) and any other applicable domestic legislation (the “Data Protection Laws”).

This Privacy Notice, together with the Terms (<https://www.brooksmacdonald.com/uk-adviser/important-information>) and our Cookie Policy (<https://www.brooksmacdonald.com/site-services/privacy-and-cookies>) sets out the basis on which we will process your personal data. If you have any queries about this Notice or how we use your data, you can contact us using the contact details below.

When we refer to “personal information” or “personal data” in this Notice, we mean information which identifies you as an individual, or is capable of doing so. In the context of this Notice, the terms “personal information” and “personal data” may be used interchangeably.

Please read this Notice carefully. By providing your personal data to us and/or applying to use our services, you acknowledge that your personal data will be used in accordance with this Notice, our Terms and our Cookie Policy.

When Do We Collect Information?

We may collect personal information about you when:

- you, or someone acting on your behalf, enquires about our services;
- you register with us, apply to use any of our services, become our client, or contact us in person, by telephone, by e-mail or by post and we go on to provide services to you;
- you voluntarily complete customer surveys, enter a competition or promotion, provide feedback or complete a contact form on our website
- we receive some personal data about you through the course of providing services to one of our clients, for example if you are;
 - the professional adviser, guardian or attorney of one of our clients; or
 - a relative or an associate (such as the employer) of one of our clients and we receive your personal data whilst providing services to them.

In most instances, we will be the data controller, as defined under applicable Data Protection Laws, of any personal data which we collect from or about you.

We may collect information about you from fraud prevention agencies and other organisations when we undertake checks such as identification verification checks, as explained further below.

Information may also be collected about you when you visit our websites (for example via cookies), such as your IP address and other browser-generated information. More information about this can be found in our Cookie Policy [www.brooksmacdonald.com/site-services/privacy-and-cookies].

We record all calls for training and quality purposes and to enable us to deal effectively with queries or complaints and in the case where customers place transactions on regulated markets, in order to comply with our regulatory obligations.

In order for us to provide services to our clients we may need to process some personal data about other people who are connected to them (third parties).

Typically, the personal data we will collect will either be:

- data that has been provided to us directly by the third party (for example, because they have contacted us about one of our clients); or else
- data that has been provided to us by our client or their representative (for example, because records about our clients’ affairs also contain personal data about third parties).

This personal data may be contained in telephone call recordings, electronic communications, minutes of face-to-face meetings and written correspondence.

What Information Will We Collect?

We may collect the following information:

- Your contact details, such as your name, address, telephone number and email address;
- Your date of birth, nationality, country of birth, country of residence, employment status and tax identification number (i.e. National Insurance Number);
- Passport details, driving licence and utility bills;
- Details of the services you request from us;
- Details of any records held by financial crime prevention agencies, on the Electoral Register and by providers of utility services; and

- Details of your employment status, income and source of wealth.

In some cases, you are not obliged to provide any personal data to us, but if you have requested information or a service from us, we will not be able to provide it without certain information, such as your contact details. Before we can begin providing you with our services, we need to obtain certain information about you, so that we can verify your identity in order for us to meet our obligations under the Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017 (the “Money Laundering Regulations 2017”) and any other applicable legislation and for the purposes of crime prevention and fraud prevention. You are obliged to provide this information and if you do not provide it, we will be unable to provide you with our services.

How We Will Use Your Information

We use information held about you in the following ways:

- to process your application to use our services;
- in the case of a third party whose personal information is provided to us, to process a potential client's application to use our services;
- to undertake checks such as identification verification checks with fraud prevention agencies to enable us to comply with our anti-money laundering obligations and for the purposes of crime prevention and fraud prevention;
- to comply with our obligations arising from any contracts entered into between you and us, including the Terms, and to provide you with the information, products and services that you request from us;
- to help protect your information and prevent unauthorised access to it;
- to deal with any queries, complaints or problems reported by you;
- for payment verification, debt tracing and debt recovery;
- to enable you to participate in our promotions or competitions;
- to enable you to participate in the interactive features of our website and to ensure that content from our website is presented in the most effective manner for you and your computer/device;
- to generate statistics relating to use of our website, such as the popularity of certain features or services. We do not use personally identifiable information for these purposes;
- to provide you with information about other services we offer that are similar to those that you have already engaged us to provide, or enquired about. You may opt out of receiving this information when we collect your details or at any time by contacting us using the contact details below;
- if required to do so by law and to the extent necessary for the proper operation of our systems, to protect us/our customers, or for the enforcement of our Terms;
- to notify you of changes to our services; and
- to help improve the services we provide to you.

Unless otherwise stated in this Notice, the legal basis for our use of your personal data will be that this information is required for one or more of the legitimate interests described above, except where we require your consent to use your personal data for a specific purpose, as identified above.

How We Protect Your Information

We take appropriate security measures (including physical, electronic and procedural measures) to help protect the confidentiality, integrity and availability of your personal information from unauthorised access and disclosure. For example, only authorised employees are permitted to access personal information, and they may do so only for permitted business functions. In addition, we use firewalls to help prevent unauthorised persons from gaining access to your personal information.

Disclosure of Your Information

We may disclose your information:

- to businesses that are legally part of the same group of companies as Brooks Macdonald, or that become part of that group;
- to our brokers, dealers, IT providers, services providers and agents in order to provide and maintain the provision of the services;
- to our appointed auditors, accountants, lawyers and other professional advisers, to the extent that they require access to the information in order to advise us;
- to fraud prevention agencies and other organisations to allow us to undertake the checks set out below. We will supply details of such agencies on request;
- to your properly appointed Professional Adviser or, where the investments we manage on your behalf are held via a pension, offshore bond, onshore bond, trust, investment platform or other such product or service, to the providers of such products or services in order to provide our services to you. We may also be required to share information with auditors appointed by the providers of such products or services;
- if required to do so by the Financial Conduct Authority or any relevant regulatory authority where they are entitled to require disclosure;
- if required to do so to meet applicable law, the order of a Court or market rules and codes of practice applicable to the circumstances at the time;
- to investigate or prevent fraud or activities believed to be illegal or otherwise in breach of applicable law;
- if tax regulations require us to collect information about each investor's tax residency. In certain circumstances (including if we do not receive a valid self-certification from you), we may be obliged to share information about your account with HMRC, who may pass this on to tax authorities in other jurisdictions;

- in the event that we sell or buy any business or assets, in which case we will disclose your personal data to the prospective seller or buyer of such business or assets; or
- if Brooks Macdonald or substantially all of its assets are acquired by a third party, in which case personal data held by it about its clients may be one of the transferred assets.

We will not lend or sell your information to third parties.

Fraud Prevention Checks

As part of our application process we will carry out automated checks using your personal data, such as your name, postal address, date of birth, telephone numbers and employment status. These checks include identification verification checks and financial crime checks and involve us obtaining information from fraud prevention agencies and any records held by financial crime prevention agencies, on the Electoral Register and providers of utility services.

We need to carry out these checks in order to meet our obligations under the Money Laundering Regulations 2017 (and any other applicable legislation). The information obtained from these checks is used by us (together with information provided by you or your Professional Adviser in your application) to determine if an account can be opened, whether further information is required or the application is rejected, based on factors such as whether we have been able to verify your identity and any records relating to financial crimes.

We may make periodic searches with fraud prevention during the course of our relationship with you to verify the information we hold remains correct and that there has been no change in your status (for example when you are a politically exposed person or if you have been subject to a financial sanction). We and other organisations (who may be from other countries) may use and access the information recorded fraud prevention agencies.

To prevent or detect fraud, or to assist in verifying your identity we may make searches at fraud prevention agencies. We may also provide information to financial and other organisations involved in fraud prevention to protect ourselves and our customers from theft and/or fraud. If false or inaccurate information is provided and fraud is identified or reasonably suspected, details will be passed to fraud prevention agencies who will record this. This information may also be accessed by law enforcement agencies. This information may be used by us, other Group companies and other organisations to prevent fraud and money laundering, for example, when processing applications for services or for debt recovery.

Data Retention

We are committed to only keep your personal data for as long as we need to in order to fulfil the relevant purpose(s) it was collected for, as set out above in this Notice, and for as long as we are required or permitted to keep it by law.

We retain copies of our customer contracts in order to enable us to deal with any legal issues and the information provided to us for identification verification checks, financial crime and anti-money laundering checks (as required by law) for not less than 6 years after termination or expiry of our contract with you. We retain details of complaints for not less than 5 years from the date of receipt in accordance with the FCA Handbook.

We shall keep records of the following for not less than 5 years in accordance with the FCA Handbook:

- all orders and transactions in financial instruments on your behalf (including information about your identity);
- call recordings, electronic communications and minutes of face-to-face meetings;
- suitability and appropriateness assessments; and
- periodic statements (for example, valuations and custody statements).

Where applicable, we will keep records of pension transfers, pension conversions, pension opt-outs or Free Standing Additional Voluntary Contributions indefinitely.

Transferring Information Overseas

We may share your personal information with our service providers and this may involve transferring it to countries outside the European Economic Area (EEA) whose data protection laws may not be as extensive as those which apply to us. Where we do so, we will ensure that we do this in accordance with Data Protection Laws and take appropriate measures to ensure that the level of protection which applies to your personal information processed in these countries is similar to that which applies within the EEA. Such measures may include only transferring your data to jurisdictions in respect of which there is a European Commission adequacy decision or, where this is not the case, by using model clauses which have been approved by the European Commission.

Special Categories of Data

Data protection laws define the following as special categories of data:

- data revealing your racial or ethnic origins, your political opinions, religious or philosophical beliefs, or any trade union membership you may hold;
- genetic data or biometric data about you;
- data concerning your health, your sex life or your sexual orientation.

These are types of data that the law recognises merit higher protection than other categories of personal information.

We will never invite you, or any other parties, to provide such data to us about you whilst providing services to you.

It might be that, in exceptional circumstances, such data is made available to us (for example, you may disclose information about

your health to us in the ordinary course of doing business with us). If it is we will always process it only with your explicit consent to do so.

Your Rights

You have the following rights (unless exemptions apply), which can be exercised by contacting us using the details provided below.

The right:

- To ask us not to process your personal data for marketing purposes;
- To access personal information held about you and to obtain a copy of it;
- To obtain the rectification or completion of personal data which are inaccurate or incomplete;
- To restrict or object to the processing of your personal data and to request its erasure under certain circumstances;
- In certain circumstances, to receive your personal data, which you have provided to us, in a structured, commonly-used and machine readable format and the right to transmit that data to another data controller without hindrance, or to have that personal data transmitted to another data controller, where technically feasible;
- To be informed about any use of your personal data to make automated decisions about you, and to obtain meaningful information about the logic involved, as well as the significance and the envisaged consequences of this processing; and
- To lodge a complaint about the way in which your personal data is being used to the Information Commissioner's Office (<https://ico.org.uk/global/contact-us>)

When you contact us to exercise any of the rights above, we may ask you to provide some additional information in order to verify your identity, such as your name, your address and proof of identity.

If you would like to lodge a complaint or exercise any of your rights set out above, please contact us using our contact details below.

Where we rely on your consent to use your personal data, you have the right to withdraw that consent at any time.

Cookies

Our website uses cookies to distinguish you from other users to enable us to provide you with a better experience when you browse our website and to allow us to improve our site. For more information, please visit our Cookie Policy (<https://www.brooksmacdonald.com/site-services/privacy-and-cookies>).

Changes To Our Privacy Notice

We reserve the right to amend this Notice at any time. Any substantive changes we make to our Notice in the future will be notified to you in writing, but we would advise you to check the website regularly to ensure that you are familiar with the most up-to-date version.

Contacting Us

If you or any third party whose personal information you have supplied to us have any queries, comments or requests regarding this Notice or would like to exercise any of the rights set out above, we can be contacted at:

E-mail: DPO@brooksmacdonald.com

Post: Data Protection Officer, Brooks Macdonald Group plc, 21 Lombard Street, London EC3V 9AH.