

## ORCHARD INDEPENDENT FINANCIAL ADVICE

### DATA PRIVACY NOTICE

We take your privacy very seriously and we ask that you read this privacy notice 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.

#### Who we are

Orchard Independent Financial Advice collects, uses and is responsible for certain personal data about you. When we do so 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 those laws.

When we mention "Orchard IFA", "we", "us" or "our" we are referring to Orchard Independent Financial Advice.

Orchard Independent Financial Advice is authorised and regulated by the Financial Conduct Authority. Orchard Independent Financial Advice Financial Services Register number is 608126.

We provide you with Independent financial advice – We will advise and make a recommendation for you after we have assessed your needs. Our recommendation will be based on a sufficient range of retail investment products, financial instruments, mortgage products, protection products and structured deposits.

#### 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:

- *Bank Account Details*
- *Contact Information*
- *Date of Birth*
- *Gender*
- *Marital Status*
- *Next of Kin*
- *Government ID Numbers*
- *Customer Complaint Files*

- Details of your dependents and/or beneficiaries under a policy (**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 notice and if they have any concerns please contact us in one of the ways described below.**)
- Health Information
- Sexual Orientation
- Religious Beliefs
- Ethical / Philosophical Beliefs
- Financial Data
- Employer / Employment Details
- Wills
- Company Accounts
- Company Certificate of Incorporation
- Company Employee Information
- Accountant / Legal Adviser Details

#### Information collected from other sources

We also obtain personal data from other sources in the course of providing our *intermediary services*. Where we obtain this information from another party it is their responsibility to make sure they explain that they will be sharing personal data with us and, where necessary, ask permission before sharing information with us.

The personal data we obtain from other sources may include the following:

- *Lenders and/or product providers:*
  - *product details etc.*
- Identification and verification checking agencies:
  - *identity information*
  - *sanction check information*
- Accountant / Legal Adviser

#### How we use your personal data

The below table sets out:

- how we use your personal data
- the lawful bases upon which we collect and use your personal data
- who we routinely share your personal data with

Rationale/Reason for Processing	Lawful Basis for Processing	Third party recipients linked to that activity
Bank Account Details – Setting Up Client Investments, Insurances and Retainer Fees	Entering / Performing a Contract with the data subject	Client Bank/Orchard IFA Bank, Product Providers
Contact Information – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	Bankhall – Compliance File Checking
Date of Birth – Knowing Your Customer / Factfinding	Compliance with a legal obligation	Bankhall – Compliance File Checking
Gender – Knowing Your Customer / Factfinding	Compliance with a legal obligation	Bankhall – Compliance File Checking
Marital Status – Knowing Your Customer / Factfinding	Compliance with a legal obligation	Bankhall – Compliance File Checking
Next of Kin – Knowing Your Customer / Factfinding	Compliance with a legal obligation	Bankhall – Compliance File Checking
Government ID Numbers – Knowing Your Customer / Factfinding	Compliance with a legal obligation	Bankhall – Compliance File Checking
Customer Complaint Files – Defending previous advice & Root Cause Analysis	Entering / Performing a Contract with the data subject	Bankhall & Financial Ombudsman Service – Compliance File Checking & Dispute Investigation
Dependents – Knowing Your Customer / Factfinding	Compliance with a legal obligation	Bankhall – Compliance File Checking
Health Information – When applying for products when health is a deciding factor	Entering / Performing a Contract with the data subject	Product Provider & Bankhall – Compliance File Checking
Sexual Orientation – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	Product Provider & Bankhall – Compliance File Checking
Religious Beliefs – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	Product Provider & Bankhall – Compliance File Checking
Ethical / Philosophical Beliefs – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	Product Provider & Bankhall – Compliance File Checking
Financial Data – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	Product Provider, Accountant/Legal Adviser & Bankhall – Compliance File Checking
Employer / Employment Details – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	Product Provider, Accountant/Legal Adviser & Bankhall – Compliance File Checking
Wills – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	Bankhall – Compliance File Checking
Company Accounts – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	Product Provider, Accountant/Legal Adviser & Bankhall – Compliance File Checking
Company Certificate of Incorporation – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	Product Provider, Accountant/Legal Adviser & Bankhall – Compliance File Checking
Company Employee Information – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	Product Provider, Accountant/Legal Adviser & Bankhall – Compliance File Checking
Accountant / Legal Adviser Details – Knowing Your Customer / Factfinding	Entering / Performing a Contract with the data subject	<b>Product Provider</b> Bankhall – Compliance File Checking

## 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*
- Criminal conviction Information
- *Sexual Orientation Information*
- Religious Beliefs
- Ethical / Philosophical Beliefs

In addition to the lawful basis for processing this information set out in the above table, we will be processing it either (i) for the purpose of advising on, arranging or administering an insurance 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 in the above table, 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 and then 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: 0203 356 7700

By email: [admin@orchardifa.co.uk](mailto:admin@orchardifa.co.uk)

By Post:

6 Harcourt Road

Tring

Hertfordshire

HP23 5JJ

## 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*.

## How long your personal data will be kept

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.

Type of Record	Retention Period
All Data	Indefinitely

## 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.

You have a right to ask us for more information about the safeguards we have put in place as mentioned above. To learn more, please see 'Your rights' below.

## 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.

#### **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 our Data Protection Officer Philip Rust at [admin@orchardifa.co.uk](mailto:admin@orchardifa.co.uk) or 6 Harcourt Road, Tring, Hertfordshire, HP23 5JJ;
- 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.

## Keeping your personal data secure

We have appropriate security measures in place to prevent personal data from being accidentally lost, or 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.

## Our supervisory authority

If you are not happy with the way we are handling your information, you have a right to lodge a complaint with the Information Commissioners Office. It has enforcement powers and can investigate compliance with *data protection regulation* ([www.ico.org.uk](http://www.ico.org.uk)).

We ask that you please attempt to resolve any issues with us before the ICO.

## How to contact us

Please contact our Data Protection Officer Philip Rust if you have any questions about this privacy notice or the information we hold about you.

If you wish to contact our Data Protection Officer Philip Rust, please send an email to [admin@orchardifa.co.uk](mailto:admin@orchardifa.co.uk) or write to

6 Harcourt Road,  
Tring,  
Hertfordshire,  
HP23 5JJ.

## Our products and services

We provide advice on a wide portfolio of financial products. We believe these are some of the best and most appropriate in the marketplace. We would like to be able to contact you so that we can advise you of new products that might be suited to you. We also may advise you of any developments that might make it appropriate for us, or for third parties, to give you pro-active advice about the investments, insurance and other financial products of which we are aware. We stress that your information would only be used in this way to help us to provide a pro-active service to you.

There may be times when we feel that a service or product may be of interest to you. In order to make you aware of these services or products, we, insurers or third parties may wish to contact you so that you can make informed choices about your finances. Please indicate your preferences using the boxes below.

Please indicate if we can contact you. Please tick either one or both boxes so that we can advise you of products and services from time to time.

- Yes, please give me details about products or services in which you think I may be interested.
- Yes, I am happy for you to pass my details to carefully selected third parties so they can contact me about their products and services.

Please indicate your preferred methods of contact, if all methods tick all boxes.

We would like to provide details to you about products or services we think will interest you. Please tick the relevant boxes below to authorise us to contact you via the following methods:

- via telephone
- via post
- via email
- via SMS

**You may inform us at any time if you want to change your options.**

First Customer Signature:.....

Second Customer Signature:.....

First Customer Name:.....

Second Customer Name:.....

Date:.....

Date:.....