



## 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 the relevant supervisory authorities in the event of a complaint.

### Who we are?

**Foundation Financial Planning is a trading style of Independent, Advanced & Clear Ltd.**

The registered business address of Foundation Financial Planning is 1<sup>st</sup> & 2<sup>nd</sup> Floor, Front Office Suite, 38-42a South Road, Haywards Heath, West Sussex, RH16 4LA and we are authorised and regulated by the Financial Conduct Authority under the reference number 917076. We provide you with independent financial advice.

Foundation Financial Planning 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 FFP, "we", "us" or "our" we are referring to Foundation Financial Planning.

### The personal data we collect and use

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

- Contact information
- Identity information
- Financial information
- Employment status
- Lifestyle information
- Health information
- Data about criminal convictions or offences
- Details of any vulnerability
- Details of your dependents and/or beneficiaries under a policy (If you are providing information about another person, we expect you to ensure they know you are doing so and are happy 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 under the heading 'You can contact us for more information'
- Product details
- Information about your credit status although we do not run specific credit checks.

### Information collected from other sources

We also obtain personal data from other sources while 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:

- Products details from lenders and/or product providers.
- Identity information from identification and verification checking agencies.
- Sanction check information.

### How we use your personal data

The information below 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

### Who is your information shared with?

- **Other professional service providers:** depending on the instructions we receive from you; we may pass your data to other professionals to enable us to provide advice most suited to your circumstances.

- We will always notify you if we are going to share your information in this way and these professionals would all be based within the UK.

Usually, this would be referrals to accountants, solicitors, tax advisers and sometimes to specialist advisers in the financial and insurance industry where you may benefit from the expertise of such third parties. We, and any third-party specialist advisers to whom we introduce you, will pass your data to the relevant organisations if you agree to purchase or amend policies and products.

- **The Financial Conduct Authority:** We may be required to share your data with our regulator, the Financial Conduct Authority, or the Financial Ombudsman and other third parties including our auditors or insurers.
- **Anti-money laundering:** These checks will also be applied to sanction lists. Any personal data obtained for the purposes of meeting with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 will only be processed for the purposes of preventing money laundering or terrorist financing, unless the use of the data is permitted by or under another enactment other than those regulations, or otherwise where consent has been obtained from you.
- **Insurance / mortgage providers:** We also make checks with organisations with which you have policies of insurance and investments and with your mortgage provider. These checks are to help us with our legal obligations and to ensure that we provide you with advice that suits your circumstances. The scope and extent of the gathering of information from third parties depends on what type of service you are taking from us.
- **Purchasers / investors:** We may share your information with third parties to whom we may choose to sell, transfer or merge parts of our business or our assets or who are stakeholders or investors in our business. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this notice.

We only collect the personal data necessary for the provision of our services and once the data is no longer needed, we delete it. **We will never sell or pass personal data to any third party for marketing purposes.**

## 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 are 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.

During 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, have a legitimate business reason to do this and will do so in accordance with any marketing preferences you have provided to us.

We will not provide you with details of products and services of third parties unless there is a technical reason to do so, i.e., with a solicitor's details or a pension transfer service.

**You can opt out of receiving marketing at any time. If you wish to amend your marketing preferences, please contact us either:**

By phone: 01444 410 276

By email: [enquiries@foundationfp.com](mailto:enquiries@foundationfp.com)

By Post: Foundation Financial Planning, 1<sup>st</sup> & 2<sup>nd</sup> Floor, 38-42a South Road, Haywards Heath, West Sussex, RH16 4LA.

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, your personal data will help us to provide you with accurate and optimal intermediary services.

## How long your personal data will be kept

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

Activity	Length of time
Where we consult with you and you do not become a client	12 Months
Regulated advice processes for active clients	Indefinitely
Advice processes for inactive client ie no business has been conducted for seven years and there are no investment funds under advice	A further seven years
Unregulated advice processes' where no further advice has taken place for 7 years	A further seven years

## Why do we retain your data for the periods shown above?

- Our regulator determines how long files should be retained.
- It can be useful to you if there is an enquiry from a regulator or HMRC.
- If a complaint arises and we must submit information for this activity.

## 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 are set up under any agreement between two or more countries. Where your personal data is used by data processors in the Isle of Man, the Isle of Man must comply with EU GDPR Law.

## 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 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.

We have a duty to keep your data current so please ensure you let us know if any of your personal details change so we can update our records.

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 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 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 our Data Protection Officer at [gianni@foundationfp.com](mailto:gianni@foundationfp.com)
- Write to Mr G Campopiano, Data Protection Officer, Foundation Financial Planning, 1<sup>st</sup> & 2<sup>nd</sup> Floor, Front Office Suite, 38-42a South Road, Haywards Heath, West Sussex, RH16 4LA.

Please provide us with verification documentation to identify yourself (a copy of your driving licence or passport and a recent utility or credit card statement showing your current address) and let us know the exact information your request relates to.

### 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 contacting the ICO.

### How to contact us in general

Please contact our Data Protection Officer if you have any questions about this privacy notice or the information, we hold about you either by:

- Email our Data Protection Officer at [gianni@foundationfp.com](mailto:gianni@foundationfp.com)



- Write to Mr G Campopiano Data Protection Officer at Foundation Financial Planning, 1<sup>st</sup> & 2<sup>nd</sup> Floor, 38-42a South Road, Haywards Heath, West Sussex, RH16 4LA.

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