

## PRIVACY NOTICE

Wheatley IFA Ltd (trading as Chris Wheatley IFA) understands its obligations in regards to your fundamental right to privacy and has implemented systems and controls to ensure your rights and freedoms are protected. We respect and value the privacy of all our clients and will only collect and use personal information fairly and responsibly in ways that are described here, and in a way that is consistent with our obligations and your rights under the law. We will support customer understanding by ensuring any communication meets the information needs of customers and any person with a vulnerability is not disadvantaged with the use of format, layout, fonts and language used. We undertake to meet our obligations under Data Protection Legislation, i.e. the Data Protection Act 2018 (DPA 2018), the UK General Data Protection Regulation (UK GDPR), and the Privacy and Electronic Communications Regulations (PERC).

### WHAT PERSONAL DATA DO WE COLLECT?

Wheatley IFA Ltd (trading as Chris Wheatley IFA) will collect the following personal data, dependent upon the financial service required:

Name, address, contact telephone numbers, email address, bank statements, passport, council tax and utility bills, driving licence, benefit statements, shotgun licence, payslips, criminal record information, existing pension information, life cover information, investment information, details of assets and liabilities, health information – life policies and long term care information - annual expenditure and any other existing relevant policy details, as well as family situation & dependants.

Different variations of personal data are required for each product so we may not be required to collect all of the data listed above for all products or services.

### HOW WE COLLECT YOUR PERSONAL DATA

You directly provide Wheatley IFA Ltd (trading as Chris Wheatley IFA) with the personal data we collect by the following methods: original physical copies, scanned certified email copies, scanned certified postal copies, of relevant documents. In addition we collect any personal data you supply to us in other ways, i.e. by completing forms, in emails or in person verbally which is noted.

### WHO WILL PROCESS YOUR PERSONAL DATA?

Access to your personal data is permitted only for those Advisers & staff who require it to fulfil their responsibilities on your behalf. Your personal data will be initially processed by Wheatley IFA Ltd (trading as Chris Wheatley IFA). Your personal data may be further processed by Hybrid Advice Central Limited who act as our Principal for regulatory purposes. In the event of incapacity of your adviser, your data may be shared with an authorised Hybrid Advice Central Limited locum adviser in order to carry out the responsibilities within your service agreement. All parties will process your personal data in accordance with this Privacy Notice and the requirements of Data Protection Legislation. All parties are subject to information security training to enforce and communicate best practice when handling information.

### WHAT HAPPENS IF WE WANT TO PROCESS YOUR PERSONAL DATA FOR OTHER REASONS?

Though there are some legal exceptions, if we wish to process your personal data for any other unrelated purpose than those we have informed you about we will notify you.

### WHAT ARE THE CONSEQUENCES IF YOU DO NOT PROVIDE YOUR PERSONAL DATA?

Your personal data is essential to enable us to take steps (at your request) prior to entering into a contract or to perform a contract to which you are a party. Without this information we will not be able to proceed to provide any financial service. Processing will only occur whereby it is necessary to protect the vital interests of our client.

## WHAT MAKES THE PROCESSING LAWFUL?

The lawful basis for the processing of your personal data as per Article 6(1) of the UK GDPR is:

- Consent. You can remove consent at any time by contacting our Data Protection Representative (details below)
- Necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract
- For compliance with a legal obligation to which we are subject
- For the purposes of the legitimate interests pursued by us

## KEEPING YOUR PERSONAL DATA UP TO DATE

We will record your information exactly as you provide it. You may ask us to update it at any time and we will action your request promptly and notify relevant third parties of any changes.

## WHAT ABOUT SENSITIVE PERSONAL DATA?

We will only process sensitive personal data, such as data concerning health, with your explicit and informed consent for specific processing activities. In such cases you will be asked to sign a separate consent form to evidence this and that you understand the purpose(s) of the processing of such data. Your consent may be withdrawn at any time. The processing is in order to:

- to carry out obligations in respect of FCA requirements
- To carry out obligations in respect of financial application requirements on your behalf
- to protect your vital interests e.g. we may pass on information about medical conditions to paramedics if you are unable to give consent due to illness.

Sensitive personal data may include data revealing racial or ethnic origin, data concerning health or data relating to criminal convictions or offences.

## HOW WILL WE FURTHER USE YOUR PERSONAL DATA (OUR LEGITIMATE INTERESTS)?

- To contact you to ensure that our records of your personal information are correct and up to date;
- to respond to questions or complaints you may have about our services;
- to update you with changes in our terms;
- for statistical or research analysis relating to the performance of our business or that of our principal and understanding the changing needs of our clients;
- to review, improve and develop services we offer or to handle complaints;
- to pursue debts or unpaid fees;
- to evidence company practices, for example to fulfil our legal requirement to provide independent audit undertakings.
- to evidence the standards and processes carried out conform to the company's ethical standards and expectations;
- for direct marketing activities;
- to protect the business from risks which might be introduced by an individual.

You have the right to object to processing for these purposes and we shall cease unless we can show we have compelling legitimate grounds to continue.

## PROCESSING WHEN PERFORMING A TASK CARRIED OUT IN THE PUBLIC INTEREST

We will use your personal data to protect members of the public against dishonesty, money laundering or fraudulent activities. This must necessarily be carried out without your explicit consent to ensure this function is not prejudiced. Part of this processing involves verifying your identity using third parties such as credit reference agencies such as GB Group Plc Creditsafe Business Solutions Ltd.

## WHAT PERSONAL DATA IS REQUIRED?

We only collect data that is necessary to carry out the purposes listed above. This includes data you supply and data we receive from reference agencies. Where practical and lawful we will inform you about any of your personal data we receive from third parties that you may be unaware of.

## HOW SECURE WILL YOUR PERSONAL DATA BE?

We will ensure that your data is only accessible to authorised people in our firm and will remain confidential at all times. Appropriate security measures are in place to prevent unauthorised access, alteration, disclosure, loss, damage or destruction of your information. If we have a contract with another organisation to provide us with services or a service on our behalf to process your personal information, we'll make sure they give reassurances regarding appropriate security measures in place and only process your data in the way we've authorised them to. These organisations won't be entitled to use your personal data for their own purposes. If necessary, we will check them to make sure they meet the security requirements we've set. Please contact our Data Protection Representative (see below) if you would like further information.

## WILL WE SHARE YOUR PERSONAL DATA WITH ANYONE ELSE?

We may share your data with:

- Appropriate staff such as those who carry out financial or compliance functions.
- Organisations that need your data because we are required to provide it by law (e.g. The FCA, ombudsman services, HMRC, etc...)
- Organisations that help us process your personal data to establish your personal characteristic. This is necessary if we are to provide you with the best possible advice and service.
- Organisations that carry out credit references or identity checks such as GB Group Plc or CreditSafe Business Solutions Ltd. These organisations may keep a record of the information and may disclose the fact that a search of its records was made to its other customers for the purposes of assessing the risk of giving credit, to prevent fraud and to trace debtors.
- Sometimes other authorised firms with specialist advisers, such as pension specialists, who assist us in providing suitable financial advice and services. You will be provided with their details if this applies.
- Organisations and individuals contracted by us to carry out specific administrative, financial, compliance or direct marketing functions. These contractors only act as data processors and will only process your information under our instructions and operate under the same obligations for data protection as we ourselves operate. An examples of such an organisation would be Mailchimp based in the United States who provide an email marketing platform for direct marketing (see below).
- Law enforcement agencies, courts or other public authorities if we have to, or are authorised to, by law.
- Product providers we use to provide financial services or for direct marketing (see below).
- Where we or our Principal go through a business transaction, such as a merger, being acquired by another company or selling a portion of its assets, your data will, in most instances, be part of the assets transferred.

## VISITORS TO OUR WEBSITE & COOKIES

The only personally identifiable information collected through our website is via completed enquiry forms. We will use the information you supply in a form, such as your contact details, to communicate with you, and to send you newsletters and details about our products and services if you subscribe online. Full details about how we use cookies can be found on our website at:  
<https://www.cwifa.co.uk/cookies.html>

## WHAT ABOUT DIRECT MARKETING?

We will use your personal data provided now and in the future to carry out direct marketing activities as these are legitimate interests pursued by us. Sometimes this includes, with your consent, sharing data with product providers for their marketing activities. You can choose which method you'd prefer us to use to contact you (by email, telephone, SMS or post) and **you have the right to object at any time** to the use of your personal data for this purpose and we will cease marketing activity. Contact our Data Controller (see below) to let them know about your preferences.

## TRANSFERRING YOUR PERSONAL DATA OUTSIDE THE UK / EUROPEAN UNION

We do not usually transfer any of your personal data outside of the UK or EU except when we need to perform pre-contractual measures (credit and identity checks), to perform direct marketing functions or because the checks we request are necessary for important reasons of public interest. Some companies, like Creditsafe Business Solutions Ltd, may transfer data outside of the EU to countries which do not, in the view of the EU Commission, offer an adequate level of protection. In such cases Creditsafe encrypts any data it sends to other agencies and only transfers information necessary to carry out checks. *(A list of countries used to perform checks include Germany, Netherland, Belgium, France, Sweden, Norway, Finland, Luxembourg, Switzerland, Liechtenstein, Spain, USA, Estonia, Latvia, Lithuania, Poland, Slovakia, Czech Republic, Hungary, Slovenia, Bosnia, Serbia, Montenegro, Croatia, Macedonia, Kosovo, Albania, Bulgaria, Romania, Ukraine, Austria, Denmark, Moldova, Portugal, Italy, Canada, Brazil, Greenland, China, India, Australia, Russia, South Korea, Taiwan, Mexico, South Africa, New Zealand, Hong Kong, UK.*

When we use a third party data processor contracted to perform direct marketing functions they may transfer and process personal data (e.g. a name & email address) in third countries outside of the UK & EU. However, we ensure appropriate safeguards are in place before such transfers. Mailchimp have committed "to transfer and process all of its users' European data in compliance with the Standard Contractual Clauses (the "SCCs")," which provides the ability to lawfully transfer data subject to the European data protection law (including the GDPR) outside of Europe to Mailchimp in the United States. In addition Mailchimp continue to protect European data in compliance with the EU-US Privacy Shield Principles, ensuring an essentially equivalent level of protection. (<https://mailchimp.com/en-gb/help/mailchimp-european-data-transfers/>)

## TELEPHONE CALL RECORDING

In line with The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 we may record incoming or outgoing telephone conversations for the following purposes:

- Establishing facts and evidence for business transactions
- Ensuring compliance with regulatory or self-regulatory practices
- Ascertaining and demonstrating that standards are being met
- Preventing or detecting crime
- Investigating or detecting the unauthorised use of that or any other telecommunication system
- Safeguarding the effective operation of the telecommunications system.

## HOW LONG WILL WE KEEP YOUR PERSONAL DATA FOR?

The Financial Conduct Authority lays down rules relating to how long your personal data should be held for and we will keep your data to meet these requirements. We will not keep your personal data for longer than is necessary in light of the reason(s) for which it was first collected. The following three factors will be used to determine how long your personal data is kept by us: Business requirements; Legal requirements; Regulatory requirements.

## REQUESTING A COPY OF YOUR PERSONAL DATA WE HOLD

You may at any time ask for a copy of the personal data we hold about you – **it is your legal right**. This is known as a “subject access request”. We prefer where possible for subject access requests are made in writing, including by email. There is not normally any charge for a subject access request. We will provide you with a copy of any non-exempt personal data within one month unless we ask you for an extension of time. To protect your personal data, we will ask you to verify your identity before we release any data. We may refuse your request if we are unable to confirm your identity. Information will be provided to you in a concise, transparent, intelligible, and easily accessible form, using clear and plain language. Please contact our Data Protection Representative (see below) to request a copy of your data.

## IMPORTANT RIGHTS

You have the right, on grounds relating to your situation, at any time to object to processing which is carried out as part of our legitimate interests or in the performance of a task carried out in the public interest. We will no longer process your personal data unless we can demonstrate there are compelling legitimate grounds which override your rights and freedoms or unless processing is necessary for the establishment, exercise or defence of legal claims. You have the right to object at any time to processing your personal data for marketing activities. In such a case we must stop processing for this purpose.

## WHAT ARE YOUR OTHER LEGAL RIGHTS?

In addition to the rights above the additional following rights:

- Where you have given consent, you have the right to withdraw previous consent to processing your personal data at any time;
- You have the right to request from us access to and rectification or erasure of personal data or restriction of processing concerning your data;
- You have the right to receive data you have provided to us in a structured, commonly used and machine-readable format and in a concise, transparent, intelligible, and easily accessible form, using clear and plain language;
- You have the right to object to processing of personal data;
- You have the right to lodge a complaint with the regulator (see below).

To exercise any of these rights please contact our Data Protection Representative (see below).

## HOW TO CONTACT OUR DATA PROTECTION REPRESENTATIVE

Your trust is important to us. That is why you can contact our Data Protection Representative about any data protection or marketing issues by:

Writing to:

- **The Data Protection Representative, Wheatley IFA Ltd, 60A High Street, Keynsham, Bristol, BS31 1DX**
- **Telephone: 0117 330 1201**
- **Email: [office@cwifa.co.uk](mailto:office@cwifa.co.uk)**

## HOW DO YOU MAKE A COMPLAINT TO THE REGULATOR?

By writing to:

- **Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF**
- **Telephoning: 0303 123 1113**
- **Via the ICO website: <https://ico.org.uk/make-a-complaint/>**

## CHANGES TO THIS PRIVACY NOTICE

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business practices in a way that affects personal data protection. The latest version of our Privacy Notice is always available on our website at:

<https://www.cwifa.co.uk/pdfs/clientprivacynotice.pdf>