

# Privacy Policy

At Moss and Roberts (Wealth Management) Ltd we are committed to protecting and respecting your privacy.

This Policy explains when and why we collect personal information about people who seek our services, how we use it, the conditions under which we may disclose it to others and how we keep it secure.

In order to provide you with financial planning services we will collect and hold personal data about and on you. We are also required to comply with the General Data Protection Regulation (Regulation (EU) 2016/679) – commonly referred to as GDPR - and as such hereby set out details as to how we process your data and your rights.

Any questions regarding this Policy and our privacy practices should be sent to our Data Protection Officer by email to [lloyd@mossandrobarts.com](mailto:lloyd@mossandrobarts.com) or by writing to:

Lloyd Johnson  
Office Suite 3  
Victory House  
Chequers Road  
Tharston  
NR1 2YA.

Alternatively, you can telephone us on 01508 530567.

## **How do we collect information from you?**

We obtain information about you when you use our website, and if you contact us to seek our advice or other services.

## **Why do we need your data?**

We need your data in order for us to:

- Provide financial planning services to you in accordance with this agreement which may include but not limited to giving you financial advice and making recommendations as to investments and financial products which are suitable for you, taking into account current financial markets and economic conditions, availability of products and the providers of those products, as well as a detailed analysis of your personal circumstances and requirements i.e. legitimate interests.
- Comply with our regulatory obligations imposed by the Financial Conduct Authority in regard to the relevant 'Know Your Client' obligations. In addition, to comply with the Regulator's requirements for record keeping for the purposes of audits and reviews, records of transactions undertaken and customer histories for prescribed periods of time as directed.

- Respond to any legitimate legal requests for information about you to the Regulatory authority or pursuant to an order of any court or tribunal having relevant jurisdiction, or as required by law for the purposes of but not limited to combatting fraud, money-laundering and criminal activities.
- Carry out our legitimate business and professional management responsibilities which include, but are not limited to, preparing, verifying and auditing of statutory accounts and tax returns, monitoring and reviewing levels and types of business for marketing and quality control, assessing business risks and standards of services or investigating and resolving complaints

### **What type of information is collected from you?**

If you are visiting our website the personal information we collect might include your name, address, email address, IP address, and information regarding what pages are accessed and when.

If you are seeking advice or other services from us we will undertake a getting to know you process. This will include obtaining information about your personal and financial circumstances and objectives. Where you have investments or policies we will obtain information on these either from you or upon consent from you directly from the providers concerned. We will assess your Attitude to Risk and Capacity for loss and record this in our documentation. We will retain records of any investments or policies that you arrange through us.

Where we are providing an ongoing service, we will update the information as part of our review process and note our records.

Information may be obtained from you face to face or through e-mail or completion of online documentation. As this information is required to enable us to provide our services if you opt not to provide it we may not be able to continue to advise you.

There may be situations where the information we require is a special category of personal data under the legislation. In this case we will explain why we need it and obtain your consent to obtain the data. This situation most commonly occurs where we are arranging life assurance products and need to obtain medical information from you.

### **Why do we need your special category data?**

Special category data is personal data which is more sensitive than Personal Data. This includes your racial or ethnic origin, political opinions, religious or philosophical beliefs. It also covers the processing of genetic data, biometric data to uniquely identify a natural person, or data concerning health, a person's sex life or sexual orientation.

It is almost certain that we will request some of the information covered under special category data during our relationship.

We need your special category data to:

- Provide a full financial plan, and other associated financial advice, life products or private medical insurance, in accordance with this agreement, which may include, but is not limited to, giving you financial advice and making recommendations as to investments and financial products which are suitable for you.
- Considering your personal situation, goals and objectives, the availability of products and the providers of those products, as well as a detailed analysis of your personal circumstances and requirements.
- Carry out our legitimate business and professional management responsibilities which include, but are not limited to providing you with suitable advice, with appropriate safeguards and personal data is not disclosed outside without the consent of the data subject

### **How is your information used?**

We will use your information to:

- Act as the basis for any advice we provide
- to carry out our obligations arising from any contracts entered into by you and us;
- Provide information to investment providers or life assurance firms for the purposes of arranging products and services for you;
- Provide our ongoing service to you.
- Meet our regulatory obligations in the services we provide to you.

### **How do we hold your data?**

We are required by legislation and the Financial Conduct Authority rules to retain records for specified periods. These vary dependent upon the nature of the service provided.

We undertake to review the data we hold on you on a regular basis to ensure compliance with data protection law. During any review, we will:

- Delete any data which is trivial or transitory in nature, or which in our opinion is no longer required for the purposes set out above
- Update the data to ensure that any errors or inaccuracies are corrected.
- Archive data as detailed below.
- Subject to the data retention periods, as detailed below, securely delete the data when it is identified that we no longer need to hold it.

We may retain and process your data for the following periods. If more than one period applies to the same data, we will retain the data to the last such period to expire:

- We will hold any agreements between you and us for a period of 6 years from the termination or expiry of the agreement unless we have been notified of any claim or circumstance which might give rise to a claim under or by reference to such agreements.
- We will process data relating to investments which we have provided advice on and / or arranged for you. We will process such data throughout the entire period you are and remain a client of the firm and for a period of not less than 6 years following our ceasing to provide service to you regarding those investments. In the case of long-term investments, we may process your data until the date of maturation of such long-term investments.
- We will hold data as required by any Regulator until the end of any limitation period imposed by that Regulator, which in the case of the Financial Services Authority is currently 6 years for all types of business undertaken except for Occupational Pension Schemes, which can include Defined Benefit Transfers and Scheme Money Purchase Transfers, whereby the data retention period is indefinite.
- We will hold data as required by any relevant third party until the end of any limitation period imposed by that relevant third party, which in the case of HMRC shall be 7 years, unless we are notified that any period is considered “open” by HMRC in which case it will be until we are notified the period is “closed”.
- We will hold data as required for the purposes of any legal proceedings for a period of 6 years following the conclusion of any such proceedings unless a longer period is required pursuant to any court rule or enactment. Proceedings will be taken to have concluded on the expiry of any period given for appealing any final judgment or on the date of concluding any settlement staying all relevant claims if the proceedings were settled before judgement.
- Save for the above, we will hold data for a maximum of 50 years from the date we receive the data.

### **Who has access to your information?**

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

We will not share your information with third parties for marketing purposes.

**Third Party Service Providers working on our behalf:** We may pass your information to our third-party service providers (including investment houses and life assurance firms), agents subcontractors and other associated organisations for the purposes of completing tasks and providing services to you on our behalf such as paraplanning and compliance support. However, when we use third party service providers, we disclose only the personal information that is necessary to deliver the service and we have a contract in place that requires them to keep your information secure and not to use it for their own direct marketing purposes. Please be reassured that we will not release your information to third parties

beyond the firm for them to use for their own direct marketing purposes, unless you have requested us to do so, or we are required to do so by law, for example, by a court order or for the purposes of prevention of fraud or other crime.

## **Contacting you**

We will make appropriate contact with you to provide the agreed services. Where this includes our ongoing service, we will contact you at the agreed intervals to undertake our review. We may also contact you in between the agreed intervals if we believe that you need to act (e.g. if you should consider making ISA or pension contributions before tax year end) or be aware of changes in the economic situation.

We will not contact you for marketing purposes by post, email, phone or text message unless you have given your prior consent. You can change your marketing preferences at any time by contacting us by email at [info@mossandrobarts.com](mailto:info@mossandrobarts.com) or by post.

## **Your rights in relation to your information**

The accuracy of your information is important to us. Where we provide just an initial advice service the information will reflect your situation at that time and we will not normally update this (apart from a change of contact information). Where we are providing an ongoing service, we will update the information as appropriate when we undertake a review with you. If between reviews you change your contact information, please notify us and we will update our records.

Under new EU requirements you have specific rights, these are summarised below:

<b>Access</b>	You may ask for a copy of the information we hold about you and we will provide this within 30 days of receipt free of charge (we may charge a fee for subsequent or duplicate requests if they are deemed excessive).
<b>Rectification</b>	You may ask us to correct any information that we hold that is inaccurate or incomplete.
<b>Erasure</b>	You may ask us to delete or cease processing data in certain situations. Please note that we will have regulatory obligations to retain information for certain time periods and we will retain such information as we believe is necessary to fulfil these obligations.
<b>Restrict processing</b>	You may ask us to cease processing information. This means that we will be able to retain it but no longer act upon it. If you no longer need our services and terminate them we will automatically cease processing information.
<b>Portability</b>	You may have the right to have your data transferred to another service provider in an appropriate electronic format. Please

note that we will have regulatory obligations to retain copies of the information as outlined previously.

**Objection**

You may have the right to object to us processing information or using it for marketing purposes.

This is a summary of your rights and there may be restrictions on some of them. If you wish to explore any of these rights at any time, please contact us on the address above and we will be pleased to assist you.

**Security precautions in place to protect the loss, misuse or alteration of your information**

When you give us personal information, we take steps to ensure that it is retained securely and processed in a confidential manner. Your information may be accessed by your adviser and our support staff for the purposes of providing our services to you. In addition, it may be accessed by senior managers and our compliance consultants (or the FCA) for the purposes of ensuring compliance with our regulatory obligations and reviewing the quality of our advice.

Information may be transmitted normally over the Internet, and this can never be guaranteed to be 100% secure. As a result, while we strive to protect your personal information, we cannot guarantee the security of any information that passes between us, and you should consider the risk of this. Once we receive your information, we make our best effort to ensure its security on our systems. Where we have given (or where you have chosen) a password which enables you to access certain parts of our websites, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

**Links to other websites**

Our website may contain links to other websites run by other organisations. This privacy policy applies only to our website, so we encourage you to read the privacy statements on the other websites you visit. We cannot be responsible for the privacy policies and practices of other sites even if you access them using links from our website.

In addition, if you follow a link to our website from a third-party site, we cannot be responsible for the privacy policies and practices of the owners and operators of that third-party site and recommend that you check the policy of that third-party site.

**Transferring your information outside of Europe**

As part of the services offered to you through this website, the information which you provide to us may be transferred to countries outside the European Union ("EU"). By way of example, this may happen if any of our servers are from time to time located in a country outside of the EU. These countries may not have similar data protection laws to the UK. By submitting your personal data, you are agreeing to this transfer, storing or processing. If we transfer your information outside of the EU in this way, we will take steps to ensure that appropriate security measures are taken with the aim of ensuring that your privacy rights continue to be protected as outlined in this Policy.

If you use our services while you are outside the EU, your information may be transferred outside the EU to provide you with those services.

### **Right to complain**

If you believe that we are not holding your information correctly or are unhappy at any dealings with us regarding your information you may complain to the Information Commissioners Office. You can do this via their website <https://ico.org.uk/concerns> or by calling 0303 123 1113.

### **Review of this Policy**

We keep this Policy under regular review. This Policy was last updated in January 2018.