



## FINANCIAL PLANNING

### **Privacy Policy**

Plain Speaking Financial Planning Ltd (the firm) is committed to protecting and respecting your privacy.

This Policy explains when and why the firm collects personal information about people who visit its website or seek its services, how we it is used, the conditions under which the firm may disclose it to others and how it is kept secure.

The firm may change this Policy from time to time so please check this page to ensure that you're happy with any changes. By using the firm's website, you are agreeing to be bound by this Policy.

Questions about this Policy and the firm's privacy practices can be addressed to any of the following:

Philip Tolhurst  
Plain Speaking Financial Planning Ltd  
21 Pineham Copse  
Haywards Heath  
RH16 3HT

Email [phil@plainspeakingifa.co.uk](mailto:phil@plainspeakingifa.co.uk)

Telephone to 01444 453787 or 07802 814771.

### **How does the firm collect information from you?**

The firm obtains information about you when you use its website, and if you seek its advice or other services.

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

If you are visiting the firm's website the personal information collected 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, the firm will undertake a "Know Your Client" process. This will include obtaining information about your personal and financial circumstances and objectives. Where you have investments or policies the firm will obtain information on these either from you or, with consent from you, directly from the providers concerned. The firm will assess your Attitude to Risk and Capacity for loss and record this in its documentation. The firm will retain records of any investments or policies that you arrange through it.

Where the firm is providing an ongoing service, it will update the information as part of the review process and note its records accordingly.

Information may be obtained from you on a face to face basis, via email or completion of online documentation. As the information is required to enable the firm to provide its services if you opt not to provide it the firm may not be able to continue to advise you.

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

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

The firm will use your information to:

- Act as the basis for any advice it provides;
- to carry out its obligations arising from any contracts entered into by you and the firm;
- Provide information to investment providers or life assurance firms for the purposes of arranging products and services for you;
- Provide its ongoing service to you.

The firm relies on Consent as the lawful basis on which it collects information about you when you sign up to using its services so that it may fulfil its obligations to you and act in accordance with its requirements as a regulated advisor.

## **How long is information retained?**

The firm is required by legislation and the Financial Conduct Authority (FCA) rules to retain records for specified periods. These vary dependent upon the nature of the service provided. The firm will not retain information for longer than the period required by legislation.

The firm relies on Legitimate Interest as the lawful basis on which to retain the information it holds about you so that it is able to provide a record of events in the event of a future misunderstanding or in order to defend a complaint against it.

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

The firm will not sell or rent your information to third parties.

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

**Third Party Service Providers working on behalf of the firm:** The firm may pass your information to its 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 the firm's behalf such as paraplanning and compliance support. However, when the firm uses third party service providers, it discloses only the personal information that is necessary to deliver the service and the firm has a contract in place that requires those providers to keep your information secure and not to use it for their own direct marketing purposes. Please be reassured that the firm 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 the firm to do so, or the firm is 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**

The firm will make appropriate contact with you to provide the agreed services. Where this includes the firm's ongoing service it will contact you at the agreed intervals to undertake its reviews. The firm may also contact you in between the agreed intervals if it believes that you need to take action (e.g. if you should consider making ISA or pension contributions before tax year end) or be aware of changes in the economic situation.

The firm 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 the firm as per the details shown on the first page of this document.

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

The accuracy of your information is important to the firm. Where the firm provides an initial advice service only the information will reflect your situation at that time and the firm will not normally update this (apart from a change of contact information). Where the firm is providing an ongoing service, it will update the information as appropriate when it undertakes reviews with you. If between reviews you change your contact information, please notify the firm and it will update its records.

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

**Access** – You may ask for a copy of the information Plain Speaking Financial Planning Ltd holds about you and the firm will provide this within one month of receipt, free of charge (the firm may charge a fee for subsequent or duplicate requests).

**Rectification** - You may ask the firm to correct any information that it holds that is inaccurate or incomplete.

**Erasure** – You may ask the firm to delete or cease processing data in certain situations. Please note that the firm will have regulatory obligations to retain information for certain time periods and the firm will retain such information as it believes is necessary to fulfil these obligations.

**Restrict processing** – You may ask the firm to cease processing information. This means that the firm will be able to retain it but no longer act upon it. In the event that you no longer need the firm's services and decide to terminate them, the firm will automatically cease processing information.

**Portability** – You may have the right to have your data transferred to another service provider in an appropriate electronic format. Please note that the firm will have regulatory obligations to retain copies of the information as outlined previously.

**Objection** – You may have the right to object to the firm processing information or using it for marketing purposes.

This is a brief 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 the firm as per the details shown on the first page of this document and it will be pleased to assist you.

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

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

The firm has procedures in place to deal with any suspected data security breach. It will notify you of a suspected data security breach where it is legally required to do so.

Information may be transmitted normally over the Internet, and this can never be guaranteed to be 100% secure. As a result, whilst the firm strives to protect your personal information, it cannot guarantee the security of any information that passes between you and the firm, and you should consider the risk of this. Once the firm receives your information, it makes every effort to ensure its security on the firm's systems. Where the firm has given (or where you have chosen) a password which enables you to access certain parts of the firm's websites, you are responsible for keeping this password confidential. The firm will not ask you to share your password with anyone.

## **Use of 'cookies'**

Like many other websites, Plain Speaking Financial Planning Ltd uses cookies. 'Cookies' are small pieces of information sent by an organisation to your computer and stored on your hard drive to allow that website to recognise you when you visit. They collect statistical data about your browsing actions and patterns and do not identify you as an individual. For example, the firm uses cookies to store your country preference. This helps the firm to improve its website and deliver a better more personalised service.

It is possible to switch off cookies by setting your browser preferences. Turning cookies off may result in a loss of functionality when using the firm's website.

## **Profiling**

When you visit the firm's website it uses a cookie to assign you a randomly generated unique identifier. The firm logs your activity on its website against this identifier in its database. Once in the firm's database, this information will be added to your user profile and the firm uses this data to monitor your activity on its website.

## **Links to other websites**

The firm's website may contain links to other websites run by other organisations. This privacy policy applies only to the firm's website, therefore the firm encourages you to read the privacy statements on the other websites you visit. The firm cannot be responsible for the privacy policies and practices of other sites even if you access them using links from the firm's website.

In addition, if you linked to the firm's website from a third-party site, the firm cannot be responsible for the privacy policies and practices of the owners and operators of that third party site and it recommends that you check the policy of that third-party site.

## **Transferring your information outside of Europe**

As part of the firm's services offered to you through this website, the information which you provide to the firm may be transferred to countries outside the European Union ("EU"). By way of example, this may happen if any of the firm's 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 the firm transfers your information outside of the EU in this way, it 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 the firm's services while you are outside the EU, your information may be transferred outside the EU in order to provide you with those services.

## **Right to complain**

If you believe that the firm is not holding your information correctly or, are unhappy with any dealings with the firm 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**

The firm keeps this Policy under regular review. This Policy was last updated on 24<sup>th</sup> May 2018.