

Walker Crips Investment Management Limited trading as "Walker Crips Investment Management", "Walker Crips Share Dealing", "Walker Crips Structured Investments" ("we") is a data controller<sup>1</sup> for the purposes specified in this privacy notice. Walker Crips Group Plc consists of Walker Crips Investment Management Limited, Walker Crips Financial Planning Limited, Ebor Trustees Limited, and Barker Poland Asset Management LLP, and we are committed to keeping your personal data safe and to ensuring the integrity and security of any personal data we process.

Please read this privacy notice carefully as it sets out how we process your personal data, including details on:

- The types of personal information we process;
- How and for which purposes we process your personal information;
- Who your personal data may be shared with;
- Our legal bases for processing your personal data; and
- Your rights under UK data protection laws regarding your data and how to exercise them, as a data subject.

## What is personal data?

Personal data, as defined in the applicable data protection legislation, includes any information that could directly or indirectly identify you as an individual. We collect personal data relating to you and your use of our services both directly and indirectly from a variety of sources, which are detailed below.

Depending on your relationship with us, in terms of which member of the group you are dealing with or which service or product you have chosen, the exact types and amount of personal data may vary, and could include:

- contact information (such as name, telephone number, address, email);
- date of birth;
- information about your health (see below);
- financial information;
- employment and education data; and
- other information gained during interactions or correspondence with you.

Some types of personal data are more sensitive and require greater controls and protections when processed, as mandated by law. This is defined as special category data, and includes personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, data concerning health or data concerning a natural person's sex life or sexual orientation. Additionally, the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, is considered to be special category data.

We will only process your special category data where necessary and, where appropriate, will seek your explicit consent prior to processing.

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<sup>1</sup> Under UK Data Protection Law, we are a "data controller" which means that we determine how and why your personal data are processed.

## **What do we mean by processing?**

Under UK and EU data protection law, processing has a very broad meaning<sup>2</sup> and can include almost any way personal data is used or interacted with, from the moment it is first collected, throughout the entire time it is used, right until it is deleted, including its transfer and storage.

## **Sources of personal data**

Most of the personal data we process we will collect directly from you, when you set up an account or purchase a product with us, or later throughout our ongoing relationship.

We may also collect personal data indirectly from other parties, including personal data obtained through the application for a joint product or service (e.g. joint accounts) or where an individual or client has agreed to act as a Third Party Authority for you.

In some circumstances, it may be necessary to collect personal data from certain third parties, such as credit reference agencies, fraud prevention agencies, electoral roll, financial advisers, court records of debt judgments and introducers and other publicly available sources. More details are provided below.

## **Why do we process your personal data?**

We process your personal data for the following purposes:

- In order to perform our contract with you e.g. to fulfil our obligations in respect of your account, policy or service;
- To carry out our own legitimate business interests (detailed below);
- To comply with a legal obligation e.g. for compliance with legal and regulatory requirements or for the establishment and/or defence of legal rights or for activities relating to the prevention, detection or investigation of crime; and
- To understand to the extent that it is necessary any health conditions that you may have, for the purpose of providing suitable and appropriate financial advice.

## **Our legal basis for processing your personal data**

We will only process your data where we have a legal basis for doing so. We may rely on the following legal bases for collecting and further processing your personal data:

- Contractual necessity e.g. to fulfil our obligations in respect of your account, policy or service;
- Legal or regulatory obligation;
- Legitimate interest; or
- Consent

## **Personal data provided in respect of third parties**

If you are providing data to us on behalf of a third party, by proceeding you acknowledge that you have the authority to provide their personal data to us and that you will share this Privacy Notice with such third parties and inform them of the details you have provided to us.

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<sup>2</sup> Process and processing have very wide meanings under the GDPR. They mean any operation (or set of operations) performed on personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## Legitimate interest

We may use your personal data for our legitimate business interests in order to allow us to provide the best services and customer experience and to ensure our service remains relevant and tailored to your needs. For example, we may rely on our legitimate interest to process your personal data for the following purposes:

- Marketing, relating to products and services compatible with the original purpose for which we originally gained the information;
- To send you company updates, newsletters or other marketing communications;
- To enhance, modify, personalise or otherwise improve our services and communications for your benefit; and
- To determine the effectiveness of promotional campaigns to inform marketing strategy.

Please note you have the right to object to any processing for which we rely on legitimate interest as the legal basis, using the contact details set out at the end of this privacy notice. However, there may be some circumstances where we may not be able to fulfil such requests, such as ongoing legal proceedings.

## Who do we share your personal data with?

We may share your personal data with the following categories of recipients:

- Members of the Walker Crips Group;
- Our custodians, Pershing Securities Limited (PSL), who are responsible for the holding and safeguarding of your assets, and may perform other services such as settlement, investment services, treasury services, depositary and fund services. PSL's Privacy Notice can be found at [www.bny.com/corporate/emea/en/privacy-policy.html](http://www.bny.com/corporate/emea/en/privacy-policy.html)
- Professional companies and other persons providing services to us including legal, professional advisers, auditors, tax and accountancy advisers and printing services;
- Credit reference agencies, identity reference agencies and fraud prevention agencies;
- Government bodies and agencies in the UK e.g. HMRC.

We may also share your personal data with third parties in the following circumstances:

- Sale of business: In the event of a likely change of control of the business (or a part of the business) such as negotiations for a sale, an actual sell, a merger, and acquisition, or any transaction, or reorganisation, we may share your personal data with interested parties, including as part of any due diligence process with new or prospective business owners and their respective professional advisers. We may also need to transfer your personal data to that third party or reorganised entity after the sale or reorganisation for them to use for purposes that are compatible with those set out in this privacy notice.
- Legal obligation: In some circumstances we are legally required to share information. For example, under a court order or where we cooperate with other authorities in handling complaints or investigations.
- Regulatory bodies: We might also share information with other regulatory bodies in order to further their, or our, objectives. In any scenario, we will first satisfy ourselves that we have an appropriate legal basis on which to share your personal data with such third parties and document our decision making.

## International transfers of your personal data

Your data may be transferred to organisations outside of the United Kingdom. Where we transfer your personal data outside of the UK, we will ensure there are robust organisational and technical security measures in place, and will comply with all applicable legal requirements, and may rely on the following transfer mechanisms:

- Adequacy Regulations: where the UK has assessed a third country as providing 'adequate' protection for the rights and freedoms of individuals in relation to their personal data. The list of third countries that have been assessed can be found [here](#).
- Standard Contractual Clauses: where the UK has not assessed a third country and where an exception to the rules on international transfers do not apply, we will use the standard contractual clauses published on the Information Commissioner's Office website [here](#) to undertake any international transfers of personal data.

## Your rights

Under UK data protection law, you have certain rights that we need to make you aware of which we have listed below. Note that the rights available to you depend on our reason for processing your personal data and any exemptions that may apply under UK data protection law.

- **Access rights**: You can request a copy of the personal data that we hold about you. There are some exemptions, which means that you may not always receive all the personal data that we process.
- **Right to request rectification**: We take reasonable steps to keep your information accurate, but you can also ask us to change any information we hold about you to keep it accurate, complete and current.
- **Right to request erasure ('to be forgotten')**: You have the right to ask us to delete the personal data we hold about you; however, please note that where we are legally required to retain personal data, we will not be able to action your deletion request.
- **Portability**: In certain circumstances, you have the right to request that we send the personal data you provided to us to another data controller in a commonly used electronic format, where technically feasible.
- **Right to request restriction**: In certain circumstances, you can request that we restrict our processing of your personal data.
- **Right to raise an objection to our processing**: You have the right to object to the processing of your personal data under certain conditions. For example, where the purpose of our processing activity is based on 'legitimate interests' as a legal basis, then you can request that we stop processing your personal data for these purposes. We will comply with such requests unless we have a compelling reason to continue processing your personal data which does not override your interests or fundamental rights and freedoms.
- **Right to withdraw your consent**: If we process your personal data using consent as a legal basis, then you have the right to withdraw your consent at any time.
- **Right to complain to a supervisory authority**: If you are dissatisfied with our use or management of your personal data, you have the right to complain to the Information Commissioner's Office (ICO) and you can contact them via their website: [www.ico.org.uk](http://www.ico.org.uk)

You can exercise any of the above rights by using the contact details set out at the end of this privacy notice.

## **Our retention policy**

We will keep your personal data only for as long as necessary for the purposes for which it was first obtained and only while we have a legal basis for doing so.

In accordance with legal and regulatory requirements, and unless there are other legal and regulatory requirements which take precedence, we will retain your personal data for a period of five years following the termination of any relationship between us.

We will regularly review our records to ensure that we do not retain your personal data longer than is necessary, unless there is a legal reason for extended retention.

## **Cookies**

A cookie is a small file which asks permission to be placed on your computer's hard drive. Cookies allow us to recognise the device you are using and to store some information about your preferences or past actions and improve security. We also use cookies to analyse data about web page traffic and improve our website in order to tailor it to customer needs.

There are cookies we use that are strictly necessary and essential for the use of our website because you will not be able to complete online activity without them.

Please see our [Cookie Policy](#) on our website for further information.

## **Other websites**

Our website may contain links to other websites which are outside our control and are not covered by this privacy notice. If you access other sites using the links provided, the operators of these sites may collect information from you which will be used by them in accordance with their privacy notice.

## **Review of this notice**

We may make changes to this privacy notice from time to time and will post such updates on our website.

## **Who are we and how to contact us?**

You can contact our privacy team directly if you have any questions about this privacy notice and/or in order to exercise your data subject rights by addressing your questions and requests to [data.protection@wgcplc.co.uk](mailto:data.protection@wgcplc.co.uk) or by using the details below:

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