

AMBER FINANCIAL INVESTMENTS LTD PRIVACY NOTICE

The purpose of this Notice

When we provide our services to you, we will collect personal information about you and we want to be open and transparent with you as to the types of information we collect, why we collect it, how we use it and with whom we may share it.

The data controller of your personal information is Amber Financial Investments Ltd, a limited liability company registered at Brooke Court, Lower Meadow Road, Handforth, Wilmslow, SK9 3ND, with company number 7630847 (“we”, or “us”, or “our”).

If you have any questions or concerns about our use of your personal information, then please contact us using the contact details provided at the bottom of this Notice in the 'How to Contact Us' section.

What type of personal information will be processed and why?

We may ask you or your financial adviser, on your behalf, to provide us with personal information by filling in hard copy forms and documents or by corresponding with us online, by phone, e-mail, letter or otherwise or during the course of your discussions.

Reason for processing

As your wrap administrator we process your personal data accordingly and our lawful reasons for processing your data are twofold;

Contract: the processing is necessary for the contract we have with you to administer your investments, or because you have asked us to take specific steps before entering into a contract.

Legal obligation: the processing is necessary for Amber Financial Investments Ltd to comply with the law and our responsibilities in reporting to the Financial Conduct Authority (including contractual obligations).

Because of these lawful reasons we do not need to ask you for your consent to collect personal data which saves you extra form filling. We do not need to collect sensitive data but if we do we will always ask for your explicit consent.

Types of personal information	Why we collect it
<p>Identity details including your name and date of birth.</p> <p>We may ask for copies of identity documents in which case we may collect details including your place of birth and residential address.</p>	<ul style="list-style-type: none"> To carry out money laundering and financial checks and for fraud and crime prevention and detection purposes. We will only ever use copies of identity documents for this purpose. We collect and process this personal information in order to comply with our legal and regulatory requirements.
<p>Your contact details including your name, postal, phone and email address(es) and other personal details about you including your title, job title, marital status and date of birth.</p>	<ul style="list-style-type: none"> To contact you in order for us to manage, administer and provide our services to you. To respond to any correspondence and service-related enquiries you send to us in respect of our services. To discuss products or services for which you apply or may be interested in applying for. To manage any applications you make for our products or services.

	<ul style="list-style-type: none"> • To communicate any updates to you including any changes to our services, the terms and conditions of any services which we have provided to you, any changes to this notice and to our websites. • To contact you in order to receive your feedback on our services and to participate in related surveys.
Financial information relating to you, specifically regarding your eligibility for Personal Pension, General Investment and Individual Savings accounts.	<ul style="list-style-type: none"> • To confirm your eligibility for products. • To enable us to confirm your financial circumstances and the appropriateness of specific courses of action and products. • We collect and process this personal information for our legitimate business interests. • To enable you to make fee and charge payments for our services. • To enable us to make payments to you as requested or required. • We collect and process this personal information as is necessary for the entry into and performance of any agreements between us (i.e. to confirm whether you are eligible for products, and once an agreement has been entered into between you and us, so that we can collect payments from your bank account.
Details of contact that we have had with you such as discussions with you, e-mail exchanges, providing documentation and statements.	<ul style="list-style-type: none"> • To allow us to provide a professional service to you and to contact you with information about our services.
Details of services you have received.	<ul style="list-style-type: none"> • We collect and process this personal information for our legitimate business interests.
Customer experience and other feedback and information you provide to us.	<ul style="list-style-type: none"> • To review your feedback and experience with us so that we can improve our products and services for you and for our other customers.
Information about complaints and incidents.	<ul style="list-style-type: none"> • We collect and process this personal information for our legitimate business interests. • We record calls both for quality and training purposes and to comply with our legal and regulatory obligations.
Recordings of calls we receive or make.	<p><i>Please see section below entitled "When we record communications" for more information.</i></p>
All of the personal information described above.	<ul style="list-style-type: none"> • We may disclose your information to third parties where they provide services to us in order that they may administer your business on your and our behalf. • We may disclose your personal information to third parties where we are required to do so to comply with applicable laws and regulatory requirements including in circumstances where we are required to do so by a court order, regulatory authority or any other third party with the lawful right to request and receive the personal information we hold about you (including law enforcement agencies and tax authorities).

	<ul style="list-style-type: none"> • We may also use your personal information where it is necessary for us to take legal advice in order to establish our legal rights, to bring a claim against you or any related parties or to defend a claim from you or any related parties. • We collect and process this personal information for our legitimate business interests including to carry out our own internal business planning, compliance, training, audit and quality assurance purposes.
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Depending upon the types of products and services you require, we may also need to collect information from and about you which is classified by law as being more sensitive, such as data about your physical or mental health, which we refer to as “**special category personal data**”.

We do not need such special category personal data for day to day business but we may need it if you become incapacitated or in the event of your demise.

The special category personal data that we may ask your attorney, executor(s) or representatives to provide, and the reasons why we ask them to provide it, are as follows:

Types of special category personal data	Why we collect it
Information about your physical or mental health or condition.	<ul style="list-style-type: none"> • Certain products and services that you request may require this information. • Specifically, in order for us process applications for; <ul style="list-style-type: none"> ○ enduring power of attorney and ○ a death claim by your executor(s), • We will need to collect information relating to your physical health. We will usually collect this information in the course of meetings with your executors or representatives, on specific questionnaires or in the process of completing a death claim or submitting a power of attorney form.

We will only process the special category personal data listed above with your representatives, attorney or executor’s explicit consent.

We may obtain some information about you from third party sources, but only where we have checked that these third parties are legally permitted or required to disclose your personal information to us. In particular, we may receive information about you from our outsourced product providers, your Bank, your attorney or accountant, Government Agencies, Credit Reference Agencies and Fraud Prevention Agencies. This may include details of the products and services you have applied for. This will help us make the best possible assessment of your financial situation before we decide whether we can provide you with our services and any specific products. It is in our legitimate interests to process your personal information for this purpose.

When we record communications

We, and persons acting on our behalf, will record and/or monitor communications (including telephone conversations over landlines and mobile phones, emails, instant messaging, chat rooms, fax and other electronic communications) between our staff and you. We only record communications between us in order to comply with our legal and regulatory requirements. As a Financial Conduct Authority authorised and regulated firm, the law requires us to record these communications.

Who might my personal information be shared with?

We may disclose your personal information to the following categories of recipients:

- To **providers of financial services and investment products and services** in respect of submitted applications on your behalf and to receive updates from such providers in order for us to provide our services to you throughout the lifetime of our relationship with you;
- To our **suppliers and partners** in order for them to help us provide our services to you, this includes:
 - our **IT systems providers** to assist us with providing you with an efficient, modern and professional service;
 - our **accountants, solicitors, fund managers and insurer(s)** and any other provider of professional services to us;
 - The providers of your **investment custody services, discretionary management services and pension products** associated with our service.
- to **other financial institutions or regulatory bodies** with whom information is shared for regulatory purposes, money laundering checks, credit risk reduction and other fraud and crime prevention purposes;
- to a **prospective buyer** (and its agents and advisers) in the event we intend to sell any part of our business or its assets or if substantially all of our assets are acquired by a third party, in which case your personal information could form part of one of the assets we sell, provided that we inform the buyer it must use your personal information only for the purposes described in this Notice - – we will never rent or sell your personal information other than as part of a sale of our business;
- to any **national and/or international regulatory, enforcement body, government agency or court** where we believe disclosure is necessary (i) as a matter of applicable law or regulation (including where we are required by law to provide information to organisations such as HMRC), (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests of those of any other person; and
- to any **other person with your consent** to the disclosure or where we are permitted to do so by law.

Our legal basis for processing personal information

Our legal basis for collecting and using your personal information will depend on the personal information concerned and the specific context in which we collect it. In respect of the personal information and the purposes for which we may process your personal information which are set out in this Notice, we have confirmed the legal basis upon which we collect and process your personal information in the 'What type of personal information will be processed and why?' section above.

If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you or with your explicit consent, we advise you that the provision of your personal information is mandatory to provide our service any why (as well as of the possible consequences if you do not provide your personal information).

Similarly, if we collect and use your personal information in reliance on our legitimate interests (or those of any third party), we will make clear to you at the relevant time what those legitimate interests are.

If you have questions about or need further information concerning the legal basis on which we collect and use your personal information, please contact us using the contact details provided under the “How to contact us” heading below.

International Data Transfers

Your personal information may be transferred to, and processed in, countries other than the country in which you are resident. These countries may have data protection laws that are different to the laws of your country (and, in some cases, may not be as protective). Specifically, our servers are located in the UK but we back up to the European Union and the USA.

However, we have taken appropriate safeguards to require that your personal information will remain protected in accordance with our own standards, this Notice and applicable law. These include EEA (being EU countries plus Norway, Iceland and Liechtenstein), which are protected in accordance with EU law and Privacy Shield certification for recipients in the USA.

Your data protection rights

You have the following data protection rights:

- If you wish to **access, correct, update or request deletion** of your personal information, you can do so at any time by contacting us using the contact details provided under the “*How to contact us*” heading below;
- In addition, you can **object to processing** of your personal information, ask us to **restrict processing** of your personal information or **request portability** of your personal information. Again, you can exercise these rights by contacting us using the contact details provided under the “*How to contact us*” heading below.
- You have the right to **opt-out of marketing communications** we send you at any time. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing e-mails we send you. To opt-out of other forms of marketing (such as postal marketing or telemarketing), then please contact us using the contact details provided under the “*How to contact us*” heading below.
- Similarly, if we have collected and process your personal information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent. For specific information about our processing of your sensitive category personal data with your consent, please see the “*Your consent to us processing your special category personal data*” heading below.
- You have the **right to complain to a data protection authority** about our collection and use of your personal information. You can report concerns to The Information Commissioner’s Office by phone on 0330 123 1113 or further contact details can be found at <https://ico.org.uk/global/contact-us/>

(Contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries (including the US and Canada) are available on request are available [here](#).)
- **Minor’s protection** – As anyone under the age of 16 (a minor) cannot consent to the processing of personal data we will ask for confirmatory details of a person who has parental responsibility for the minor. When you open an account, which involves a minor, such as a Junior ISA we will only discuss the minor’s account with that person to protect the minor’s interest.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

Data retention

We retain personal information we collect from you where we have an ongoing legitimate need to do so, for example:

- to provide you with a product or service you have requested us to provide,
- to perform our contractual obligations to you;
- to comply with applicable legal, tax or accounting requirements;

- to defend or manage any claims or complaints between us, you and any relevant third party including taking legal advice in respect of such claims in order to establish, exercise or defend our legal rights or such claims. This would include complaints and claims which you may bring against us or which are submitted to a court, regulatory authority or ombudsman.

When we have no on-going legitimate need to process your personal information, we will either delete or anonymise it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

We also have a regulatory duty to keep data for specific periods being a minimum of six years for all data. We have a regulatory duty to keep data relating to occupational pension schemes forever and we reserve the right to keep data for potential legal purposes.

Updates to this Notice

We may change or update this Notice in order to maintain our compliance with applicable law and regulation or following an update to our internal practices. When we update our Notice, we will take appropriate measures to inform you, consistent with the significance of the changes we make.

How to contact us

If you would like to contact us in relation to this Notice or if you have any other questions in respect of our processing of your personal information, please contact The Data Protection Officer at Amber Financial Investments Ltd, Brooke Court, Lower Meadow Road, Handforth, Wilmslow, SK9 3ND

Tel 0161 348 7867 e-mail: support@amber-financial.co.uk

Communications about other products or services

Whilst not a normal activity we may like to contact you from time to time with details of products, services, promotions, and other information, which may be of interest to you.

In order to do this we will ask you confirm your acceptance when you make an application to us electronically.

You will be asked to please tick the relevant boxes indicated below if you **would like** to receive details of new products, services, promotions, and other information, which may be of interest to you:

- by email
by post
by text message
by telephone

Your representatives consent to us processing your special category personal data

We do not collect special category personal data about you from your representatives unless we need it to process a death claim or an application for an enduring power of attorney for example, which requires us to collect special category personal data about you.

Providers of services may also request us to collect special category personal data for us to submit it to them so that they may assess representative's eligibility to represent you. We will only collect special category personal data about you with your representative's explicit consent having discussed this with them. Where they have provided consent to us, they may withdraw consent at any time – please see the 'How to contact us' section above.

Your right to complain and request a copy of your personal data

- You have a right, for no charge, to obtain a copy of the personal information that we hold about you. If you believe that any information held is incorrect or incomplete, you should contact us at our usual address. Any information that is found to be incorrect or incomplete will be amended promptly.
- Minor's protection – As anyone under the age of 16 (a minor) cannot consent to the processing of personal data we will ask for confirmatory details of a person who has parental responsibility for the minor. When you open an account, which involves a minor, such as a Junior ISA we will only discuss the minor's account with that person to protect the minor's interest.