

Thomson Ferrie LLP Privacy Policy

Here at Thomson Ferrie LLP, we take your privacy very seriously. We ask that you read this Privacy Policy carefully as it contains important information on who we are, how and why we collect, store, use and share personal data, your rights in relation to your personal data and on how to contact us and supervisory authorities in the event you have a complaint.

This version of our Privacy Policy was last updated in **January 2022**.

1. Who we are

Thomson Ferrie LLP ('we', 'us' or 'our' in this Privacy Policy) provide Independent Financial Advice.

The company is registered in Scotland under company number: SO302408. Our registered office is at Office 5, 8-10 Glasgow Road, Kirkintilloch, G66 1SH.

Thomson Ferrie LLP is authorised and regulated by the Financial Conduct Authority under Financial Services Register number: 504710. You can find more details about how we are regulated in our disclosure documents issued by your adviser.

We collect, use and are responsible for certain personal data about you. We are required to comply with data protection regulation, and we are responsible as a data controller of your personal data.

2. How to contact us

If you have any questions about the information we hold about you or how we process your data, please contact Graham Thomson:

By phone: 0141 775 0799
By email: graham@thomsonferrie.co.uk

By Post: Thomson Ferrie LLP
Office 5
8-10 Glasgow Road
Kirkintilloch
G66 1SH

3. The personal data we collect and use

Over the course of providing our service to you, we may collect, store, and transfer the following personal data when you provide it to us. Personal data is any information that can be used to identify you and therefore does not include anonymous or aggregated data.

Type of Data	Examples
Identity	<p>Any information which can be used to distinguish a person or verify their identity, such as name, date of birth, place of birth, gender, marital status, passport, driving licence etc.</p> <p>Verification of identity also includes providing proof of address which may involve documentation such as utility bills or council tax statements.</p>
Contact	<p>Including address history, email address and telephone number.</p> <p>This may also include work contact information.</p>
Financial	<p>Any information relating to your employment status, salary and income, outgoings and expenditure, tax rate, P60, assets and liabilities, credit commitments, and any other debts.</p> <p>This category may also include assessing your credit history, and banking information such as account details, card details, and bank statements.</p>
Deposit	<p>We are required to verify the source of funds for any deposit supplied by you or the gift donor(s) where a gifted deposit is to be received.</p> <p>Where you are providing the deposit from your savings, we will require a minimum of 3 months' bank statements to show the build-up of funds.</p> <p>With respect to gifted deposits, we will be required to process personal data from the gift donor(s). We will require a minimum of 3 months' bank statements plus relevant Identity Data. Further information and documentation may be required.</p> <p>This information will be stored in line with our Privacy Policy, available to the data subject on request.</p>
Profile and Usage	<p>Such as your login details for our Client Portal, how you use our website, your feedback, and products and services purchased.</p>
Marketing and Communications	<p>Your preferences towards how we communicate with you and whether you wish to receive marketing from us or our business partners.</p>
Transaction	<p>Details of payments made for products and services you have purchased from us.</p>
Technical	<p>Including IP address, login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system, and platform.</p>
Other	<p>Any other information that could be used to identify you that we need to provide intermediary services or as part of the application process.</p>

Special Category Data

Certain types of personal data are considered more sensitive and are subject to additional levels of protection under data protection legislation. These are known as 'special categories of data' and include data concerning your health, racial or ethnic origin, genetic data, and sexual orientation. Data relating to criminal convictions or offences is also subject to additional levels of protection.

We may process:

- **Health Data** relating to your medical history, including symptoms, diagnoses, procedures, and outcomes, as well as information about your height and weight. This could include previous, current, or persistent medical conditions and family medical history as well as GP or specialist details.
- **Lifestyle Data** including both work and leisure behaviour patterns. Most relevant to your products may be your smoker status, alcohol consumption, health, retirement age, and exercise habits.
- **Financial Dependents and Beneficiaries Data** which will be treated sensitively and will not be used for marketing purposes or user profiles.
- **Criminal Offence Data** in relation to the prevention, detection, and investigation of financial crime.

Potential Vulnerabilities

Apart from the information customers provide to us directly, we may also record information about potential vulnerabilities where we think this is appropriate to meet the obligations placed on us by the Financial Conduct Authority (FCA) regarding vulnerable customers.

Based on FCA guidelines, a vulnerable consumer is especially susceptible to detriment due to their personal circumstances, particularly when an advisory firm is not acting with appropriate levels of care. These customers are more likely to suffer severe detriment if something goes wrong.

Aggregated Data

We also collect and process Aggregated Data which includes statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity.

Information about another person

If you are providing information about another person (such as a partner, financial dependant, gift donor, or business partner), we expect you to ensure that they know you are doing so and are content with their information being provided to us. You should ensure that they have seen this Privacy Policy and agree to its contents.

Returning clients

If you are already a Thomson Ferrie LLP client, it is likely that we will use the data from previous business to save you time when you are looking for new advice from us. As some of this data may be out-of-date, we will clarify with you and confirm that we have accurate data.

4. How we collect your personal data

We gather personal information throughout the advice process to provide you with tailored recommendations. Here are examples of how we collect this personal information:

How we collect your personal data	Examples
You give us data	<ul style="list-style-type: none">• Interacting with an adviser or employee of Thomson Ferrie LLP• Creating an account on our Client Portal• Completing a data capture form or Fact Find• Completing an enquiry form on our website• Giving us feedback or submitting a review
A joint applicant or trusted person gives us your data	<p>Where a joint application is taking place, you will likely provide information on behalf of each other at different stages of the process.</p> <p>At your express consent, we may also discuss your application with trusted individuals (e.g. your parents). However, as part of the advice process, you must always be involved. We will not proceed with an application without having advised you directly.</p>
We get data from a third party or publicly available source	<ul style="list-style-type: none">• Public sources such as Companies House and the Electoral Register• Credit Reference Agencies such as Experian• Analytics providers such as Google Analytics• Facebook, Google, and LinkedIn, where you access our pages
Automatic collection of data via our website	<p>Our website uses 'Cookies' to collect technical data. Please see our Cookies Policy for more details. You can set your browser to refuse all or some browser cookies or alert you when websites set or access cookies. If you disable or refuse cookies, it is possible that our website and Client Portal may become inaccessible or not function properly.</p>

Third-party website links

At times, our website or advisers may provide links to third-party websites, plug-ins and applications such as a Credit Reference Agency or our Client Portal supplied by 360 Dot Net Limited (<https://360dotnet.co.uk>). We have no control over third-party websites and are not responsible for their privacy policies. You should be aware that they may collect and process your data differently. We highly recommend that you read the privacy policy of every website you visit.

Third-party marketing

Unless you give us your express consent, we will always opt you out of marketing provided by third parties such as product providers and lenders. Should you give your permission to be opted-in to such marketing, you will need to contact the third party directly if you change your mind at a later stage.

5. How we use your personal data

We will tell you if providing some personal data is optional, including if we ask for your consent to process it. In all other cases, you must provide your personal data to allow us to provide you with intermediary services.

You are free at any time to change your mind and withdraw your consent. The consequence might be that we cannot do certain things for you.

The purpose we use your data for	Type(s) of data	The legal basis for data use
<p>Getting started Where we initially engage with you to discuss your requirements after an enquiry from you.</p> <p>This also includes general guidance we may give you, such as how to improve your credit score.</p>	<p>-Identity -Contact</p>	<p>Consent</p>
<p>Carrying out research A key part of the advice process is where we source products, provide quotes, and process applications.</p> <p>Where relevant, we will also keep track of future options available to you.</p>	<p>-Identity -Contact -Financial -Deposit -Marketing & comms -Transaction -Special Category</p>	<p>Consent</p> <p>Performance of a contract with you</p> <p>To comply with a legal obligation</p> <p>Our legitimate interests (in this case, to recover any money owed to us and to develop and grow our business)</p>
<p>Managing our relationship We aim to have a long-term relationship with our clients and developing this is important to us. This includes:</p> <ul style="list-style-type: none"> • Creating and maintaining access to your Client Portal account and other relevant files • Keeping in touch with you throughout the advice process • Re-engagement (where relevant) with respect to existing products • For compliance purposes 	<p>-Identity -Contact -Profile and usage -Marketing & comms</p>	<p>Consent</p> <p>Performance of a contract with you</p> <p>To comply with a legal obligation</p> <p>Our legitimate interests (to maintain a relationship with you and keep our records updated)</p>

<p>Working with others In order to provide our intermediary services, we will liaise with relevant third parties throughout the advice process, such as product providers, lenders, solicitors, and surveyors.</p>	<ul style="list-style-type: none"> -Identity -Contact -Financial -Deposit -Transaction -Special category 	<p>Performance of a contract with you</p> <p>To comply with a legal obligation</p>
<p>To contact you in the future We may ask you to leave a review, complete a survey, or let you know when a product is nearing expiry (although this is your responsibility to keep track of).</p> <p>Where you leave a review or complete a survey, we may also follow up on this with you.</p>	<ul style="list-style-type: none"> -Identity -Contact -Profile and usage -Marketing & comms -Transaction 	<p>Performance of a contract with you</p> <p>To comply with a legal obligation</p> <p>Our legitimate interests (reviewing our service standards or contacting you again to provide new advice. This, in turn, grows our business)</p>
<p>Marketing and Communications We may get in touch with you regarding goods or services that may meet your needs in the future.</p> <p>You may opt-out of our marketing at any time.</p>	<ul style="list-style-type: none"> -Identity -Contact -Profile and usage -Marketing & comms -Technical 	<p>Consent</p> <p>Our legitimate interests (to meet your customer needs and inform you about options available to you. This, in turn, grows our business)</p>
<p>Improving our services offered We may use data analytics to improve our website, Client Portal, services offered, marketing, and overall customer experience.</p>	<ul style="list-style-type: none"> -Identity -Contact -Profile and usage -Marketing & comms -Technical 	<p>Our legitimate interests (to improve the services offered to customers via data analysis)</p>
<p>Maintaining our systems We carry out troubleshooting, data analysis, testing, system maintenance, support, reporting, and hosting of data to protect our business, website and Client Portal.</p>	<ul style="list-style-type: none"> -Identity -Contact -Profile and usage -Technical 	<p>To comply with a legal obligation</p> <p>Our legitimate interests (to run our business and keep data secure)</p>
<p>Handling complaints and enquiries We will take action to resolve any issues you have had and answer any questions.</p>	<ul style="list-style-type: none"> -Identity -Contact -Profile and usage -Marketing & comms -Transaction 	<p>To comply with a legal obligation</p> <p>Our legitimate interests (by ensuring that complaints are accurately and effectively processed)</p>
<p>Fraud prevention As part of the advice process, we are required to carry out checks on your identity and documents and assess your financial transactions in order to detect or prevent financial crime.</p>	<ul style="list-style-type: none"> -Identity -Contact -Financial -Deposit -Profile and usage -Marketing & comms -Transaction 	<p>Performance of a contract with you</p> <p>To comply with a legal obligation</p> <p>Our legitimate interests (protects our business, others' businesses, and you)</p>

Change of Purpose

We will only use your personal data for the purposes stated above unless we reasonably consider that we need to use it for another reason, and it is compatible with the original purpose. Please contact us for an explanation as to how any new processing is compatible with the original purpose.

If we need to use your personal data for an unrelated purpose, we will notify you and explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

6. Who we share your data with

Throughout the advice process, we may share your personal data with other companies. These third parties must utilise your data in a legal manner and can only use the data for specific purposes.

Third Party	Reason
<p>Lenders, Product Providers, and Sourcing Companies</p>	<p>When carrying out whole-of-market research, we utilise specific industry tools to find products tailored to your needs.</p> <p>As part of the application process, we will share your data with lenders and product providers upon receiving your permission. These firms are also data controllers, and you should read their specific privacy policy to see how they use your data.</p>
<p>Technology Providers</p>	<p>We use various technological systems to collect, store, and process your data. We do this to keep your data secure and streamline the advice process for our clients.</p> <p>Our 'Thomson Ferrie Client Portal' and our 'Online Fact Find' are powered by a third-party practice management system. This system has a proven track record in the Financial Services industry and utilises Microsoft's Cloud-Based Platform, Azure. Microsoft has an obligation to protect data, security and privacy, which in turn keeps your data safe.</p> <p>We highly recommend that you read any relevant privacy policies when registering with a system or entering your personal details. Should you require any further information, please contact us.</p>
<p>Credit Reference Agencies (CRAs)</p>	<p>Lenders will carry out a credit check (see 'Credit Searches' in Section 5 of this document) at the Agreement in Principle and Full Mortgage Application stages of the mortgage advice process.</p> <p>The main CRAs are Experian, Transunion, and Equifax. We suggest that you read their privacy policies to understand how they access your data.</p>
<p>Fraud Prevention Agencies (FPAs)</p>	<p>We may use FPAs to check your identity at the start of the advice process and on an ongoing basis where relevant.</p>
<p>Regulators, Law Enforcement Agencies & relevant organisations</p>	<p>We will share your data with certain organisations when required to by law (e.g. prevention of financial crime).</p>

7. Data Security

We have appropriate security measures in place to prevent personal data from being accidentally lost, used, or accessed in an unauthorised way. We limit access to your personal data to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

8. Data Retention

We will hold your personal data for differing periods of time depending upon our reason for processing it. These retention periods are set out below:

- Retention in case of queries: we will retain your personal data for as long as we reasonably consider it necessary to deal with your queries (e.g. any questions you may have in relation to the services)
- Retention in case of claims: we will retain your personal data for as long as we reasonably consider that you might legally bring a claim against us
- Retention in accordance with legal and regulatory requirements: we will retain your personal data after we have ceased providing services to you for as long as we are required/permitted to retain it based upon our legal and regulatory obligations

9. Transfer of your information out of the EEA

We will not transfer your personal data outside of the European Economic Area or to any organisation (or subordinate bodies) governed by public international law or set up under any agreement between two or more countries.

10. Your rights

You have legal rights under data protection regulation in relation to your personal data and may make requests detailed below:

To access personal data

You can ask us to confirm whether we have and are using your personal data. You can also ask to get a copy of your personal data from us and for information on how we process it.

To rectify/erase personal data

You can ask that we rectify any information about you which is incorrect. We will be happy to rectify such information but would need to verify the accuracy of the information first.

You can ask that we erase your personal data if you think we no longer need to use it for the purpose we collected it from you.

You can also ask that we erase your personal data if you have either withdrawn your consent to us using your information (if we originally asked for your consent to use your information) or exercised your right to object to the further legitimate use of your information, or where we have used it unlawfully or where we are subject to a legal obligation to erase your personal data.

We may not always be able to comply with your request, for example, where we need to keep using your personal data in order to comply with our legal obligation or where we need to use your personal data to establish, exercise or defend legal claims.

To restrict our use of personal data

You can ask that we restrict our use of your personal data in certain circumstances, for example:

- where you think the information is inaccurate and we need to verify it;
- where our use of your personal data is not lawful, but you do not want us to erase it;
- where the information is no longer required for the purposes for which it was collected but we need it to establish, exercise or defend legal claims; or
- where you have objected to our use of your personal data, but we still need to verify if we have overriding grounds to use it

We can continue to use your personal data following a request for restriction where we have your consent to use it; or we need to use it to establish, exercise or defend legal claims, or we need to use it to protect the rights of another individual or a company.

To object to the use of personal data

You can object to any use of your personal data, which we have justified on the basis of our legitimate interest, if you believe your fundamental rights and freedoms to data protection outweigh our legitimate interest in using the information. If you raise an objection, we may continue to use the personal data if we can demonstrate that we have compelling legitimate interests to use the information.

To request a transfer of personal data

You can ask us to provide your personal data to you in a structured, commonly used, machine-readable format, or you can ask to have it transferred directly to another data controller (e.g. another company).

You may only exercise this right where we use your personal data in order to perform a contract with you or where we asked for your consent to use your personal data. This right does not apply to any personal data which we hold or process outside automated means.

To contest decisions based on automatic decision-making

If we made a decision about you based solely by automated means (i.e. with no human intervention), and the decision made by us produces a legal effect concerning you, or significantly affects you, you may have the right to contest that decision, express your point of view and ask for a human review. These rights do not apply where we are authorised by law to make such decisions and have adopted suitable safeguards in our decision-making processes to protect your rights and freedoms.

You can contact us for more information

If you are not satisfied with the level of information provided in this privacy notice, you can ask us about what personal data we have about you, what we use your information for, who we disclose your information to, whether we transfer it abroad, how we protect it, how long we keep it for, what rights you have, how you can make a complaint, where we got your data from and whether we have carried out any automated decision making using your personal data.

If you would like to exercise any of the above rights, please email or write to Graham Thomson at the contact details provided at the start of this Privacy Policy and:

- let us have enough information to identify you, e.g. name, address, date of birth;
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and
- let us know the information to which your request relates

We may ask you for proof of identity when making a request to exercise any of these rights. We do this to ensure we only disclose information or change your details where we know we are dealing with the right individual.

We will not ask for a fee unless we think your request is unfounded, repetitive or excessive. Where a fee is necessary, we will inform you before proceeding with your request.

We aim to respond to all valid requests within one month. It may, however take us longer if the request is particularly complicated or you have made several requests. We will always let you know if we think a response will take longer than one month. To speed up our response, we may ask you to provide more detail about what you want to receive or are concerned about.

We may not always be able to fully address your request, for example, if it would impact the duty of confidentiality we owe to others, or if we are otherwise legally entitled to deal with the request in a different way.

11. Our supervisory authority

Thomson Ferrie LLP is registered as a data controller on the UK data protection public register under registration number Z193757X. We take your privacy very seriously and hold your personal information and documentation securely.

If you have questions or complaints relating to how we use your personal data, or if you wish to exercise any of your rights regarding your personal data, we ask that you please try to resolve any issues with us by contacting Graham Thomson at graham@thomsonferrie.co.uk

If you are still not satisfied, you have a right to lodge a complaint with the Information Commissioners Office (ICO). It has enforcement powers and can investigate compliance with data protection regulation in the United Kingdom (www.ico.org.uk).

Glossary of Terms

we, us or our	Thomson Ferrie LLP is a Limited Liability Partnership incorporated under the Limited Liability Partnerships Act 2000 registered in Scotland (Company number: SO302408) and having its registered office at Office 5, 8-10 Glasgow Road, Kirkintilloch, G66 1SH
data controller	<p>means a natural or legal person (such as a company) which determines the means and purposes of processing of personal data.</p> <p>For example, we are your data controller as we determine how we will collect personal data from you, the scope of data which will be collected, and the purposes for which it will be used in the course of us providing you with intermediary services</p>
data protection regulation	applicable data privacy and protection laws
FCA	the Financial Conduct Authority, the independent watchdog that regulates financial services
intermediary services	<p>these are the services we provide to you in relation to the products, which may include:</p> <ul style="list-style-type: none"> • Advising on regulated mortgage contracts • Arranging (bringing about) regulated mortgage contracts • Making arrangements with a view to regulated mortgage contracts • Advising on investments (except on Pension Transfers and Pension Opt Outs) • Arranging (bringing about) deals in investments • Making arrangements with a view to transactions in investments • Advising on P2P agreements • Agreeing to carry on a regulated activity
product	this is an investment, pension, mortgage, protection and/or general insurance product in respect of which we provide intermediary services to you
product provider	a company which provides investment, pension, protection and/or general insurance products (for a list of product providers which we work with, please contact us)
lender	a mortgage lender (for a list of current lenders which we work with, please contact us)
sanction check information	this is information relating to your politically exposed persons (PEPs) status and Her Majesty's Treasury financial sanctions status, which is recorded to prevent fraud and money laundering