

## PRIVACY NOTICE

Nexus IFA Limited (ICO Reg. No. ZA019374) & Nexus Financial Planning (ICO Reg. No. Z7781158) understand our obligations with regards to your fundamental right to a private life and have implemented systems and controls to ensure your rights and freedoms are protected. We respect and value the privacy of all our clients and will only collect and use personal information fairly and responsibly in ways that are described here, and in a way that is consistent with our obligations and your rights under the law. Nexus IFA Limited & Nexus Financial Planning undertake to meet their obligations under Data Protection Legislation, i.e. the Data Protection Act 2018 (DPA 2018), the UK General Data Protection Regulation (UK GDPR), and the Privacy and Electronic Communications Regulations (PERC).

### WHAT PERSONAL DATA DO WE COLLECT?

We will collect the following types of personal data dependent upon the financial services required:

- Information such as your name, date of birth and contact details (e.g. address, phone numbers & email address);
- Identification information including passport, driving licence, national identity card (for non-UK nationals), government issued ID verification, shotgun licence, and address verification documents such as council tax letters or bank statements and evidence of benefit entitlement;
- Employment information such as job title and employment history (e.g. payslips);
- Information relevant to products we provide (e.g. existing pension and life policies, long term care policies);
- Information relating to your personal finances such as your annual expenditure, financial liabilities and assets, investments, income and outgoings;
- Information classified as 'sensitive' or special category personal information, e.g. relating to your health, race or ethnic origin. This information will only be collected and used where it's needed to provide a product or service you have requested or to comply with our legal obligations;
- Information connected to providing a specific product or service;
- Information about your contact with us, e.g. meetings, phone calls, emails / letters;
- Information that is automatically collected e.g. via cookies when you visit one of our websites or an IP address from submission of an online form;
- Information if you visit our office, e.g. visual images collected via closed circuit television (CCTV);
- Information about your family including information about your dependants;
- Information relating to your marketing preferences.

Different variations of personal data are required for each product/service so we may not be required to collect all of the data types listed above.

### HOW DO WE COLLECT YOUR PERSONAL DATA?

You directly provide us with the personal data we collect and we may also obtain your personal information from other sources, this includes:

- original physical copies of relevant documents;
- certified scanned copies of relevant documents either by email or post;
- your meetings with us, telephone conversations or video conferences;
- emails, letters or forms (including online) you send us;
- application forms you complete for products or services;
- questionnaires (including online ones) you complete;

- publicly available sources such as the electoral roll, court judgments, insolvency registers, internet search engines and social media sites;
- from third parties who provide anti money laundering and fraud prevention services who carry out electronic ID checks, sanctions and politically exposed persons checking services.

## WHO WILL PROCESS YOUR PERSONAL DATA?

Access to your personal data is permitted only for those employees, Advisers and other contracted staff who require it to fulfil their responsibilities on your behalf. Your personal data will be initially processed by Nexus IFA Limited and/or Nexus Financial Planning. Both firms are Appointed Representatives of In Partnership, a trading name of The Whitechurch Network Limited. Your personal data will be further processed by On-Line Partnership Group Limited on behalf of its subsidiary company The Whitechurch Network Limited who act as our Principal for regulatory purposes. All parties who process your personal data will do so in accordance with this Privacy Notice and the requirements of Data Protection legislation. All such parties are subject to information security training to enforce and communicate best practice when handling information.

## WHAT HAPPENS IF WE WANT TO PROCESS YOUR DATA FOR OTHER REASONS?

Though there are some legal exceptions, if we wish to process your personal data for any other unrelated purpose than those we have informed you about we will notify you.

## WHAT ARE THE CONSEQUENCES IF YOU DO NOT PROVIDE YOUR PERSONAL DATA?

Your personal data is essential to enable us to answer your enquiry, or to take steps (at your request) prior to entering into a contract to provide financial services, or to perform a contract to which you are a party. Without this information we will not be able to proceed in providing any financial service.

## WHAT MAKES THE PROCESSING LAWFUL?

The lawful basis for the processing of your personal data as per Article 6 of the UK GDPR is:

- Consent - you can remove consent at any time by contacting our Data Protection representative (details below);
- Necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract;
- Compliance with a legal obligation to which we are subject;
- Necessary to perform a task carried out in the public interest;
- For the purposes of the legitimate interests pursued by us.

## KEEPING YOUR INFORMATION UP TO DATE

We will record your information exactly as you provide it. You may ask us to update it at any time and we will action your request promptly and where possible notify relevant third parties of any changes.

## WHAT ABOUT SENSITIVE PERSONAL DATA?

We will only process sensitive, or special category, personal data, such as data concerning health, racial or ethnic origin, or sexual orientation, with your explicit and informed consent for specific processing activities. In such cases you will be asked to sign a separate consent form to evidence this and that you understand the purpose(s) of the processing of such data. Your consent may be withdrawn at any time.

The processing is in order to:

- To carry out obligations in respect of FCA requirements

- To carry out obligations in respect of financial application requirements on your behalf
- To protect your vital interests, e.g. we may pass on information about medical conditions to paramedics if you are unable to give consent due to illness.

### **HOW WILL WE FURTHER USE YOUR PERSONAL INFORMATION (OUR LEGITIMATE INTERESTS)?**

- To contact you to ensure that our records of your personal information are correct and up to date;
- to respond to questions or complaints you have about our services;
- to update you with changes in our terms;
- for statistical or research analysis relating to the performance of our business or that of our principal and understanding the changing needs of our clients;
- to review, improve and develop services we offer or to handle complaints;
- to pursue debts or unpaid fees;
- to evidence company practices, for example to fulfil our legal requirement to provide independent audit undertakings.
- to evidence the standards and processes carried out conform to the company's ethical standards and expectations;
- for direct marketing activities;
- to protect the business from risks which might be introduced by an individual.

You have the right to object to processing for these purposes and we shall cease unless we can show we have compelling legitimate grounds to continue.

### **PROCESSING WHEN PERFORMING A TASK CARRIED OUT IN THE PUBLIC INTEREST**

We will use your personal data to protect members of the public against dishonesty, money laundering or fraudulent activities. This must necessarily be carried out without your explicit consent to ensure this function is not prejudiced. Part of this processing involves verifying your identity using third parties such as GB Group Plc or Creditsafe Business Solutions Ltd.

### **WHAT PERSONAL DATA IS REQUIRED?**

We only collect data that is necessary to carry out the purposes listed above. This includes data you supply and data we receive from reference agencies. Where practical and lawful we will inform you about any of your personal data we receive from third parties that you may be unaware of.

### **HOW SECURE WILL YOUR DATA BE?**

We will ensure that your data is only accessible to authorised people in our firm and will remain confidential at all times. Appropriate security measures will be in place to prevent unauthorised access, alteration, disclosure, loss, damage or destruction of your information. If we have a contract with another organisation or individual to provide us with services or a service on our behalf to process your personal information, we'll ensure they give reassurances regarding appropriate security measures in place, act in compliance with Data Protection legislation, and only process your data in the way we've authorised them to. These organisations or individuals won't be entitled to use your personal information for their own purposes. Please contact our Data Protection representative if you would like further information.

### **WILL WE SHARE YOUR INFORMATION WITH ANYONE ELSE?**

We may share your information with:

- Appropriate staff such as those who carry out financial or compliance functions.
- Organisations that need your information because we are required to provide it by law (e.g. The Financial Conduct Authority (FCA), ombudsman services, HMRC, etc.).

- Organisations that help us process your personal data to establish your personal characteristic. This is necessary if we are to provide you with the best possible advice and service.
- Organisations that carry out credit references or identity checks such as GB Group Plc or CreditSafe Business Solutions Ltd. These organisations may keep a record of the information and may disclose the fact that a search of its records was made to its other customers for the purposes of assessing the risk of giving credit, to prevent fraud and to trace debtors.
- Sometimes other authorised firms with specialist advisers, such as pension specialists, who assist us in providing suitable financial advice and services. You will be provided with their details if this applies.
- Organisations and individuals contracted by us to carry out specific administrative, financial, compliance or direct marketing functions. These contractors only act as data processors and will only process your information under our instructions and operate under the same obligations for data protection as we ourselves operate. Examples of such organisations would be to provide product research quotes; e-signature facilities; email marketing (for direct marketing).
- Law enforcement agencies, courts or other public authorities if we have to, or are authorised to by law.
- Product providers we use to provide financial services or for direct marketing (see below).
- Where we or our Principal go through a business transaction, such as a merger, being acquired by another company or selling a portion of its assets, your information will, in most instances, be part of the assets transferred.
- Where you give clear written consent for us to share your information with a specified third party.

## TRANSFERRING DATA OUTSIDE THE EUROPEAN UNION

We do not usually transfer any of your personal information outside of the UK or EU except when we need to perform pre-contractual measures (credit and identity checks) or because the checks we request are necessary for important reasons of public interest. Some companies, like Creditsafe Business Solutions Ltd, may transfer data outside of the EU to countries which do not, in the view of the EU Commission, offer an adequate level of protection. In such cases Creditsafe encrypts any data it sends to other agencies and only transfers information necessary to carry out checks. *(A list of countries used to perform checks include Germany, Netherland, Belgium, France, Sweden, Norway, Finland, Luxembourg, Switzerland, Liechtenstein, Spain, USA, Estonia, Latvia, Lithuania, Poland, Slovakia, Czech Republic, Hungary, Slovenia, Bosnia, Serbia, Montenegro, Croatia, Macedonia, Kosovo, Albania, Bulgaria, Romania, Ukraine, Austria, Denmark, Moldova, Portugal, Italy, Canada, Brazil, Greenland, China, India, Australia, Russia, South Korea, Taiwan, Mexico, South Africa, New Zealand, Hong Kong, UK.)*

Furthermore, we may use third party data processors contracted to perform direct marketing functions using an email platform such as Mailchimp, which may transfer or process data (e.g. a name & email address) outside of the UK & EU. However, we require appropriate safeguards are in place to ensure your data is safe. Mailchimp have committed “to transfer and process all of its users’ European data in compliance with the Standard Contractual Clauses (the “SCCs”),” which provides the ability to lawfully transfer data subject to the European data protection law (including the GDPR) outside of Europe to Mailchimp in the United States. In addition Mailchimp continues to protect European data in compliance with the EU-US Privacy Shield Principles, ensuring an essentially equivalent level of protection. (see <https://mailchimp.com/en-gb/help/mailchimp-european-data-transfers/>).

## WHAT ABOUT DIRECT MARKETING?

We will use your personal data now and in the future to carry out direct marketing activities as these are legitimate interests pursued by us. Sometimes this includes, with your consent, sharing data with product providers for their marketing activities. You can choose which method you’d prefer us to use to contact you (by email, telephone, SMS or post) and **you have the right to object at any time** to the use of your personal data for this purpose and we will cease marketing activity. Contact our Data Protection representative (see below) to let them know about your preferences.

## TELEPHONE CALL RECORDING

In line with The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 we may record incoming or outgoing telephone conversations for the following purposes:

- establishing facts and evidence for business transactions;
- ensuring compliance with regulatory or self-regulatory practices;
- ascertaining and demonstrating that standards are being met;
- preventing or detecting crime;
- investigating or detecting the unauthorised use of that or any other telecommunication system;
- safeguarding the effective operation of the telecommunications system.

## HOW LONG WILL WE KEEP YOUR INFORMATION FOR?

The Financial Conduct Authority lays down rules relating to how long information should be held for and we will keep your information to meet these requirements. We will not keep your information for longer than is necessary in light of the reason(s) for which it was first collected. The following factors will be used to determine how long your personal data is kept by us:

- Business requirements
- Legal requirements
- Regulatory requirements

## REQUESTING A COPY OF THE INFORMATION WE HOLD

You may at any time ask for a copy of the personal data we hold about you – **it is your legal right**. This is known as a “subject access request”. We will provide you with a copy of any non-exempt personal information within one month, unless we ask you for an extension of time, for example if your request is complex or we receive numerous requests at the same time. To protect your personal data, we will ask you to verify your identity before we release any information. We may refuse your request if we are unable to confirm your identity.

Information will be provided to you in a concise, transparent, intelligible, and easily accessible format, using clear and plain language.

Please contact our Data Protection representative (details below) to request a copy of your data. We ask that all subject access requests be made in writing (including by email) if possible. There is not normally any charge for a subject access request.

## VISITORS TO OUR WEBSITE & COOKIES

When someone visits our website - [www.nexusifa.co.uk](http://www.nexusifa.co.uk) - we use a third party service, Google Analytics, to analyse visitor behaviour patterns. Google Analytics uses cookies. This information is only processed in a way which does not identify anyone. The only personally identifiable information collected through our website is via enquiry forms submitted directly to us. We will use the information you supply in a form, such as your contact details, to communicate with you, and if you consent by subscribing, use your information to send you our newsletters and also occasionally information about products and our services.

Full details about how we use cookies and how you can manage your cookie preferences can be found in our website’s Cookie Policy at: [www.nexusifa.co.uk/cookies.html](http://www.nexusifa.co.uk/cookies.html)

## IMPORTANT RIGHTS

You have the right, on grounds relating to your situation, at any time to object to processing which is carried out as part of our legitimate interests or in the performance of a task carried out in the public interest. We will no longer process your data unless we can demonstrate there are compelling legitimate grounds which override your rights and freedoms or unless processing is necessary for the establishment, exercise or defence of legal claims. You have the right to object at any time to processing your personal data for marketing activities. In such a case we must stop processing for this purpose.

## WHAT ARE YOUR OTHER LEGAL RIGHTS?

In addition to the rights above the additional following rights:

- Where you have given consent, you have the right to withdraw previous consent to processing your personal data at any time;
- You have the right to request from us access to and rectification or erasure of personal data or restriction of processing concerning your data;
- You have the right to receive data you have provided to us in a structured, commonly used and machine readable format;
- You have the right to object;
- You have the right to lodge a complaint with the regulator (please see below).

To exercise any of these rights please contact our Data Protection representative (details below).

## HOW TO CONTACT OUR DATA PROTECTION REPRESENTATIVE

Your trust is important to us. That is why you can contact our Data Protection representative about any data protection or marketing consent issues by:

- Writing to:  
**Data Protection Representative,  
Nexus , 2-4 York Buildings, Cornhill, Bridgwater, Somerset, TA6 3BS**
- Telephoning: **01278 439494**
- Emailing: **datacontroller@nexusifa.co.uk**

## HOW DO YOU MAKE A COMPLAINT TO THE REGULATOR?

By writing to:

**Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF**

By telephoning: **0303 123 1113**

By using their website: <https://ico.org.uk/make-a-complaint>

## CHANGES TO THIS PRIVACY NOTICE

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business practices in a way that affects personal data protection.

Our latest version of this Privacy Notice is always available on at: [www.nexusifa.co.uk/privacy.html](http://www.nexusifa.co.uk/privacy.html)

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**Nexus supports customer understanding by ensuring any communication meets the information needs of customers and any person with a vulnerability is not disadvantaged with the use of format, layout, fonts and language used. Text should be easy to read and without jargon. If you require any information in a different format or font size please contact us.**