



Privacy notice for clients using Brompton's Discretionary Investment Management Services

Contents

1	Introduction
1.1	Purpose
1.2	Scope
1.3	Interpretation
2	The notice
2.1	What personal information we collect
2.2	Personal information about children
2.3	How we collect your personal information
2.4	Changes to your personal information
2.5	Why we process your personal information
2.6	Legal bases for processing your personal information
2.7	Automated decision-making
2.8	Sharing
2.9	Transferring information overseas
2.10	How we protect your information
2.11	Monitoring
2.12	Data retention
2.13	Your rights
2.14	Marketing
2.15	Cookies
2.16	Changes to our privacy notice
3	How to contact us



1. Introduction

1.1. Purpose

This notice is to inform Brompton Asset Management LLP's discretionary investment management clients about what personal information Brompton collects and how and why it is processed, in accordance with Brompton's obligations under applicable data protection laws (DP laws).

Brompton is a '**data controller**' of your personal information. If you have any questions about this notice, please contact us using the details at the end of this notice.

1.2. Scope

This notice applies to the receipt, processing and dissemination of personal information related to Brompton's clients by Brompton in its capacity as the controller of that personal information and, as appropriate, by those operating on its behalf as processors.

1.3. Interpretation

In this notice, we use definitions from the General Data Protection Regulation (**GDPR**) unless otherwise stated.

Data controller means the natural or legal person, public authority, agency or other body that, alone or jointly with others, determines the purposes and means of the processing of personal information.

GDPR means the European Union General Data Protection Regulation, 2016/679, which takes effect from 25 May 2018. The GDPR will take effect throughout the EU without the need for further legislation by member States such as the UK.

Personal information means any information relating to an identified or identifiable natural person, namely one who can be identified, directly or indirectly, from that information alone or in conjunction with other information 'in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person'¹.

Processing means 'any operation or set of operations which is performed on personal information or on sets of personal information, 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'.

Processor means a natural or legal person, public authority, agency or other body that processes personal information on behalf of the controller.

Special categories of personal information apply to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Transfers are transfers of personal information either to **third countries**, meaning countries outside the EU, or **international organisations** meaning an organisation and its subordinate bodies governed by public international law, or any other body set up by, or on the basis of, an agreement between two or more countries.

Please also read our general privacy notice, which covers use of personal information in on-going communication and also for our website.

¹ Examples of personal information are from the GDPR.

2. The notice

Brompton is committed to compliance with DP laws in the processing of clients' personal information by or on behalf of Brompton. For any processing of clients' personal information, we will consider:

- whether the processing activity is necessary;
- the applicable legal basis for the processing;
- whether the proposed processing of personal information is fair to the clients; and
- whether the processing activity is proportionate to any concerns raised.

We will ensure the processing activity is transparent. Brompton will never share your personal information with any third-party marketing organisation.



2.1. What personal information we collect

We may collect the following information:

- contact details, such as your name, address, telephone number and email address;
- date of birth, nationality, country of birth, country of residence and tax identification number (i.e. National Insurance number);
- bank account details;
- identification documentation such as passport details, driving licence and utility bills;
- details of the services you request from us;
- details of your financial position such as employment status, income, assets, liabilities, and source of wealth;
- information on your financial experience and understanding, capacity for loss and attitude to risk;
- information on your financial dependents and other matters that may impact your longer-term financial planning; and
- any other personal details or information you choose to share with Brompton or its employees.

Whilst, in some cases, you may not be obliged to provide some elements of the personal information requested to us, we may not be able fully to provide the services requested without receiving it.

Before we can begin providing services to you, we will need to obtain certain information about you so we can verify your identity to meet our obligations under the relevant money laundering regulations and any other applicable legislation for the purposes of crime/fraud prevention. In the first instance, we will use a third-party external firm that provides electronic identification checks to validate your identification and address. This will access information sources such as the electoral roll, telephone directory and credit reference agencies. If we cannot verify your identity and address in this way, we will request the necessary documentation from you directly. If you do not provide the requested information and consent for Brompton to conduct these checks we will be unable to provide you with our services.

We also collect information from you when you contact us. When you access or use our websites, website usage information is collected using cookies.

Please also note the following:

- any email sent or received from the Brompton domain is retained for at least seven years in line with regulatory requirements;
- calls to and from Brompton, including in some cases calls from mobile phones, may be recorded and monitored recordings of calls are retained for seven years in the case of calls to and from landlines and five years for calls to and from mobiles; and
- our entrance halls are covered by CCTV cameras. In addition, if you use our guest WiFi, Brompton reserves the right to monitor the usage of this facility. Brompton will not accept any responsibility for any individual that is identified as having breached the current or future copyright laws and reserves the right to pass on individuals' contact information to the appropriate authorities if requested.

At this time, we do not collect **special categories of personal information**. If this was to change, we would provide you with further information about the purpose of processing this information and, if necessary, request your consent for such processing.

2.2. Personal information about children

Data protection laws apply extra precautions to protect the privacy and safety of children.

Typically children cannot access our services directly. When you ask us to open a Junior ISA, this may involve collecting basic information on the child. All contact and communication will, however, be with the parent or relevant adult.

2.3. How we collect your personal information

We will collect personal information when you:

- ask us to provide you with information about our services, through initial conversations and correspondence;
- complete our account opening documentation, including the client profile form;
- become a client;
- contact us by email, post or telephone; and
- when you access our website because usage information is collected via cookies.

We may collect information from third parties; includes but not limited to:

- when we undertake identification verification checks using a third-party verification company; and
- when an adviser or similar third party is appointed or instructed by you.



2.4. Changes to your personal information

We will take steps to ensure the personal information held on you is kept up to date, for example by periodically asking you to confirm there have been no changes. We do, however, rely on you to tell us about any changes to your personal information as soon as possible.

2.5. Why we process your personal information

We use information about you in the following ways:

- to provide information about our services;
- to complete our account opening requirements when you request to use our services;
- to comply with our obligations arising from any contract with you and provide you with the services you request;
- to undertake necessary checks such as verifying your identity;
- to assist us in managing your account and our relationship with you, including dealing with requests, queries, complaints and issues reported by you;
- to report to you;
- to help protect your information and your assets and prevent unauthorised access to them;
- to comply with legal and regulatory obligations;
- to protect us/our customers, or for the enforcement of any agreement with you;
- to notify you of changes to our services; and
- to help improve the services we provide to you.

2.6. Legal bases for processing your personal information

Data protection regulations require us to inform you of the legal basis for our processing of your personal information. The main legal bases on which we will process your personal information is that the processing is necessary to:

- perform our contract with you, i.e. provide you with discretionary investment management services and respond to your requests; and
- fulfil our legal obligations. This will include, but not be limited to, our obligations under UK financial services regulations, anti-money laundering and fraud prevention, audit and tax reporting and cooperation with legitimate requests from law enforcement agencies, governmental or regulatory bodies and court orders.

We will also process your personal information on the basis of our legitimate interest. Examples of our legitimate interest are:

- we may include your information in reporting to our senior managers as part of their oversight and development of our business and services;
- accessing personal information as part of testing the effectiveness of internal processes and procedures;
- to contact you to provide you with commentaries on market events and/or changes to our existing policies such as this notice.
- giving a potential buyer and its representative access to our records as part of any restructuring or sale of our business or assets.

In such cases, our legitimate interests must not override your interests or fundamental rights and freedoms.

We may rely on your consent to use your personal information, in certain circumstances, including:

- where we provide information to a third party upon your request e.g. your accountant; and
- where you provide us with additional information during the course of our relationship with you such as longer-term financial plans and this information is retained in our correspondence or records of discussions.

Such consent can be withdrawn by contacting your principal Brompton contact. Such withdrawal of consent will not invalidate any processing or sharing of your information undertaken before that time. Please note this will not prevent us processing or sharing information with a third party where we rely on another lawful process to process such information.



2.7. Automated decision making

Subject to certain exceptions as described below, you have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

Circumstances where this does not apply include: where such processing is necessary for entering into or performing a contract with you; where such processing is authorised by EU or other applicable law; or where it is based on your prior, explicit consent, which may always be withdrawn.

We do not, however, make such decisions or carry out such profiling at the date of this document. If we do so in the future, we will provide advance notice as required by DP laws, including the GDPR.

2.8. Sharing

We share your personal information with third parties to the extent necessary for the purpose, of the normal operation of our business and for managing your relationship including without limitation;

- contractors and service providers used for our business operations, for example Raymond James Investment Services, your administrator;
- other employees, Brompton entities and advisers as required for the purposes as above.
- any agents or other third parties appointed by you, solely upon your instructions
- our auditors, accountants, lawyers and other professional advisers to the extent that they require access to the information to advise us;
- parties with whom we are in negotiations for any sale or purchase of a business unit, and
- to comply with any legal or regulatory obligation such as reporting to the Financial Conduct Authority or similar regulator or complying with a court or other legally-binding order or decision by a competent authority, or required by market rules or codes of practice.

In some cases, third parties may also be **data controllers**, processing your personal information for their purposes. In such circumstances you have rights over how those parties handle your data and may contact them directly if you want to exercise those rights.

We will not lend or sell your information to third parties.

2.9. Transferring information overseas

We will share your information with our service providers including providers of our IT infrastructure. If it is processed within the European Economic Area (EEA), your information will be protected by the same data protection standards.

Where we transfer your information to countries outside the EEA, we will take appropriate measures to ensure:

- such transfers are in accordance with data protection laws; and
- appropriate measures are taken so that the level of protection applying to your personal information is similar to that which applies within the EEA.

At present, your information may be transferred to the following countries:

- The USA - such transfers are safeguarded by requesting that the relevant providers have certification under the 'privacy shield'; and
- Guernsey for clients with an overseas custodian. Guernsey is deemed by the European Commission to have data privacy laws of a standard that complies with EU data protection laws.

2.10. How we protect your information

We take appropriate security measures including physical, electronic and procedural measures to help protect the confidentiality, integrity and availability of your personal information from unauthorised access and disclosure. We can provide details on request.



2.11. Monitoring

We may undertake monitoring involving the processing of personal information where this is permitted or required by the relevant legal or regulatory obligations, for example:

- calls to and from Brompton, including some calls to mobile phones, are recorded and may be monitored - in some cases, calls may be recorded for compliance and evidentiary purposes even where this is not required under our regulatory obligations; and
- emails, letters and other documents may be monitored as part of our oversight of our internal processes and procedures.

2.12. Data retention

We are committed to retaining your personal information for only as long as we need to fulfil the purpose or purposes for which it was collected and for as long as we are required or permitted to keep it by law.

Generally, we will keep most personal information for at least seven years after you cease to be a client for the following reasons:

- such retention is required under our legal and regulatory obligations; and
- to enable us to respond to queries and/or claims from you or your agents.

At the end of the retention period for particular personal data, we will take appropriate steps to delete or remove your personal information from our systems or make such information beyond use, in accordance with our retention policy. If you would like further information about our data retention practices, please contact privacy@bromptonam.com.

2.13. Your rights

Unless exemptions apply, you have various rights that can be exercised by contacting us using the details below. You have the right to:

- be informed about the processing of your personal information;
- access personal information about you and obtain a copy of it;
- request the amendment of inaccurate or incomplete information;
- restrict or object to the processing of your personal information;
- request its erasure under certain circumstances, frequently referred to as the right to be forgotten;
- receive in certain circumstances your personal information in a structured, commonly-used and machine-readable format and the right to transmit that information to another data controller without hindrance, or to have that personal information transmitted to another data controller where feasible;
- be informed about any use of your personal information to make automated decisions, where applicable, about you and to obtain meaningful information about the logic involved, as well as the significance and the envisaged consequences of this processing; and
- lodge a complaint about the way in which your personal information is being used to the data protection authority, the Information Commissioner's Office (<https://ico.org.uk>).

You can exercise your rights by writing to us at the address below. There is no cost for making a request. If your request is excessive or unfounded, however, we may charge a reasonable fee or decline to comply with it.

2.14. Marketing

Except where you have provided consent to receive marketing materials, we will not use your personal information to send you marketing information.



2.15. Cookies

Our websites use 'cookies', which are small text files transferred to your browser to help with two aspects of your visit:

- to allow our site to remember your preferences such as whether you accept our terms of use; and
- to help with web analytics, the anonymous measurement of website visits so we and our agents can analyse which content and functionality are popular and useful and how our site is performing. The software is provided by Google.

We do not use cookies that provide information to advertising networks or any third parties that might be tracking your activity across multiple sites.

If you use our websites without disabling cookies, we will assume you are happy to receive them for the two purposes outlined above.

Please note some parts of our sites will not function when all cookies are disabled. If you have questions on cookies, please email privacy@bromptonam.com.

2.16. Changes to our privacy notice

We will periodically update this privacy notice. A copy of the current privacy notice can be obtained from our website <https://www.bromptonam.com/privacy> or by contacting us using the details below.

3. How to contact us

If you would like to contact us about anything in this notice, to exercise your rights noted above or to complain, you may either do so via your usual contact at Brompton or through the means below.

Email: privacy@bromptonam.com
Telephone: 020 7045 0600
Address: The compliance department,
Brompton Asset Management LLP,
1 Knightsbridge Green,
London,
SW1X 7QA