

The background of the page is a photograph of a boat deck. In the foreground, there are two dark, cylindrical bollards with thick, light-colored rope coiled around them. The deck is made of light-colored wood. In the background, there are more ropes, a white railing, and a clear blue sky with a bright sun in the upper left corner, creating a lens flare effect.

Privacy Policy

July 2024

To: Our Clients & Potential Clients / Our Work Colleagues / Our Service Providers:

We can provide this summary in larger print if this is easier for you – just let us know.

In case you were wondering – some background information:

The General Data Protection Regulation (**GDPR**) is Europe's new framework for data protection laws. The Government has confirmed that the UK's decision to leave the European Union will not alter this.

Many of the GDPR's main concepts and principles are much the same as those in the previous Data Protection Act (DPA). The new regulation started on 25 May 2018. It has been ratified in the new Data Protection Act (DPA) of 2018.

It is enforced by the [Information Commissioner's Office \(ICO\)](#).

***As defined by the GDPR/DPA (2018)**, 'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, 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".

This means personal data has to be information that relates to an individual. That individual must be identified either directly or indirectly from one or more identifiers or from factors specific to the individual.

Our Privacy Policy – Protecting your *Personal Data (Personal Information that identifies you as an individual)

At **Somnium Financial Planning Ltd** (we'll just use "**SFP**" "**we**" "**our**" or "**us**" from now on), we promise to always respect your right to privacy and take the best possible care to process, store and share all forms of your *personal data (as defined by the GDPR/DPA (2018) see above) securely and in accordance with the GDPR/DPA (2018) and with the ICO current guidelines.

Whether you are:

- A visitor to our website or,
- A client (or potential client), to whom we provide our full and ongoing, comprehensive financial planning services (or any part of our services) or,
- A work colleague or service provider of ours.

We want to let you know the **why**, **what**, and **how** we collect personal data about you, including **who** else we may disclose it to/share it with, **how** we protect it and **how** long we keep it.

We also want to let you **know your rights**, contact details for us and the Information Commissioner's Office, should you need to complain about the way we collect and process your personal data.

Privacy Policy Review

We will continue to review this policy, making any necessary improvements or corrections as and when required.

- For our ongoing clients, our work colleagues and service providers – you will receive any updates directly from us.
- For our website visitors (including clients & prospective clients) - please recheck this policy for the full and latest version, as by using the site, you are agreeing to be bound by this policy.
- Latest review date: **January 2021**

Any Questions?

Please contact us if you have any questions regarding this Policy by:

- **email** to info@somniumfp.co.uk
- **post** to our Data Protection Lead:
Mark Mandeville, Managing Director, Somnium Financial Planning Ltd. Sanderum House, 38 Oakley Road, Chinnor Oxon OX39 4TW.
- **telephoning** us on 01844 355 468.

Why do we collect your personal data?

Our Clients & Potential Clients

So we may:

- Provide you with our full and ongoing, comprehensive financial planning services (or any part of our services).

Our Work Colleagues

So we may:

- Fulfil all our obligations to you in the field of your employment with us.

Our Service Providers

So we may:

- Carry out our obligations for due diligence to engage and continue to use the services you provide to us.

Our Clients & Potential Clients / Our Work Colleagues / Our Service Providers

NB. We will always have a lawful basis to collect and process your personal data, and will review the most appropriate basis, whether to fulfil our contractual or legal obligations, or on the basis of our legitimate interests.

For any Direct Marketing Contact (e.g. whether sending out a greetings card, our newsletter), *not covered by the lawful basis of us fulfilling our contractual or legal obligations, or by the basis of our legitimate interests*, we will always request your consent to do so, and if you change your mind, you can let us know, to stop this contact.

For any Special Category Data (Sensitive Personal data e.g. health details) where required, we will obtain your **explicit consent** to do so, but may retain and process where necessary for the 'establishment, exercise or defence of legal claims, or whenever courts are acting in their judicial capacity' in accordance with the law.

Where permitted by law, no explicit consent for special category personal data is required for information provided or received during necessary checks to prevent and detect crime and to comply with laws relating to money laundering, fraud, terrorist financing, bribery & corruption and for UK and International sanctions.

What type of personal data do we collect about you?

All Website Visitors

If you are visiting our website, the personal data we collect might include your name, address, email address, IP address, and information regarding what pages are accessed and when.

Our Clients & Potential Clients

If you are seeking advice or other services from us, we will undertake a 'Discovery (e.g. getting to know you)' process. This will include obtaining quite detailed information about your personal and financial circumstances and objectives. This may include 'Special Category' (previously 'Sensitive' Personal Data. Special category data includes information about your health, ethnic origin, or criminal prosecutions. To provide our financial planning services, we must ensure we understand your health, beliefs, and other factors to ensure that we are able to provide you with the most appropriate advice and products. This means that we may obtain your sensitive personal data from the third parties referred to within this agreement for the purpose of providing you with services and to obtain quotes on your behalf for relevant advice such as annuities or protection policies. We believe that we can obtain and hold special category data about you under the lawful basis of 'Legal Claims'.

Where you have investments or policies, we will obtain information on these either from you or (upon consent from you directly), from the providers concerned (e.g. your pension/life/investment providers).

We will assess your Attitude to Risk and Capacity for loss by using Risk Profilers (e.g. FinaMetrica) and with follow up discussions with you (any decisions we make are in consultation with you and based on your individual circumstances and requirements, we never use automated decision-making) and record this in our documentation. We will retain records of any investments or policies that you arrange through us. We also record our correspondence and communications with you.

To comply with legal and regulatory obligations, we will obtain and process evidence of your identity (e.g. Passport, Driving Licence).

Where we are providing you with an ongoing service, we will update the personal data we have obtained as part of our review process and note our records.

Our Work Colleagues

If you are a work colleague, we will collect such personal data (which may include 'Special Category' Personal Data such as health details) as required to enable us to fulfil all our obligations to you in the field of your employment with us.

Our Service Providers

If you are providing a service to us, we will collect such personal data as to enable us to undertake due diligence to ensure your services meet our requirements including legal and regulatory obligations and that you are able to provide these services securely and in accordance with GDPR/DPA (2018). For limited companies or incorporated partnerships, this privacy notice only covers information that relates to your primary signatory or representative of your business and other key people.

How do we collect personal data from you?

Our Clients & Potential Clients

Personal data may be obtained from you face to face, by email, or by manual or online completion and submission of documentation. As the information is required to enable us to provide our services, if you opt not to provide it, we may not be able to continue to advise you.

There may be situations where the information we require is a special category of personal data under the legislation. In such cases, we will explain why we need it and obtain your explicit consent to obtain the data. This situation most commonly occurs where we are arranging life assurance products and need to obtain medical information from you.

Our Work Colleagues

Personal data may be obtained from you face to face, by email or by manual or online completion and submission of documentation. As the information is required to enable us to fulfil all our obligations in the field of your employment with us, if you opt not to provide it, we may not be able to continue to employ you.

There may be situations where the information we require is a special category of personal data under the legislation. In such cases, we will explain why we need it and obtain your explicit consent to obtain the data. This situation most commonly occurs where we need to obtain medical information from you to carry out our obligations in the field of employment and social security and social protection law as authorised.

Our Service Providers

Personal data may be obtained from you face to face, by email or by manual or online completion and submission of documentation. As the information is required to enable us to fulfil all our obligations in the field of your provision of services to us, if you opt not to provide it, we may not be able to continue to engage your services.

Although we do not currently foresee such a situation, where the information we require is a special category of personal data under the legislation, should this be required in the future, we will explain why we need it and obtain your explicit consent to obtain the data.

NB. Our Clients & Potential Clients / Our Work Colleagues / Our Service Providers:

Where permitted by law, no explicit consent for special category personal data is required for information provided or received during necessary checks to prevent and detect crime and to comply with laws relating to money laundering, fraud, terrorist financing, bribery & corruption and for UK and International sanctions.

How do we protect your personal data?

Our Clients & Potential Clients / Our Work Colleagues / Our Service Providers:

We use up-to-date industry procedures to protect your personal data. We have appropriate security measures in place to protect against the loss, misuse or alteration of information that we have collected from you.

Please be aware that **the internet is not a secure medium of communication**. We cannot therefore guarantee the security of any information that you send to us on the internet. By doing so, you are responsible for any damages you or others may suffer resulting from the loss of confidentiality of any such information.

NB We can provide a secure file sharing option and can use encryption where there is a need or request to send personal data via email.

Our cloud-based data storage providers: Brookland Computer Services Ltd (Brookland) ensures our data (including your personal data) is stored in UK; the data is stored at their on-site facility, replicated to their off-site data centre and all backups are created and maintained in the UK. At no time is our stored data out of their control or out of the UK. As a specialist company, Brookland ensure the latest anti-virus, system updates and security protocols always protect our stored data.

All Brookland employees are security vetted. Their offices and data centres are secure and require keys/codes/signing in.

We do keep manual/paper records and files – these are held securely overnight or when our office is unattended in locked filing cabinets in our key operated locked office. Out of hours, our office and the main building are alarmed. Access to the main building is by individually logged card-swipe entry point during normal office hours, and by card-swipe, separate key operated lock and alarm code deactivation at other times.

How long do we keep your personal data?

Our Clients & Potential Clients / Our Work Colleagues / Our Service Providers:

We will assess and review how long we retain and can process your personal data bearing in mind the following:

- the services we provide as financial planners
- our duties as a responsible employer
- our duties to our service providers
- any legal, regulatory or statutory obligations applying
- our lawful basis for the collection and processing of your personal data
- the type of personal data we hold for you

Based on the above and due to the nature of our services (and our legal, statutory or regulatory obligations) we will in the main, retain client personal data even if you decide not to continue working with us. (e.g. Our regulatory body the Financial Conduct Authority deem some client records be held only for six years, whereas Professional Indemnity Insurers (PII) require us to retain record, to be able to provide personal data (process) to be able to defend any future complaint.

Our regulatory obligations require us to hold such insurance or we are not authorised to provide our financial planning services. Notwithstanding the above, we have decided that we shall retain all personal data regarding:

- **Our potential clients** (where we have **not** entered into any agreement, **and/or** provided any information, in any way regarded as financial planning advice), for 6 months following the last date of contact, or future contact appointment. Deletion will occur following our bi-annual review of such cases. Or earlier, following a deletion request from you.
- **Our clients** (where we have entered into any agreement, **and/or** provided any information in any way regarded as financial planning advice) the minimum retention of personal data shall be 6 years, with the maximum, despite any regulatory requirements shall be 40 years following (the unbroken) cessation of any agreement or last date of contact, or future contact appointment. (If cessation of our services is reinstated at any time during this period then the retention period will recommence from the date of the latest cessation or contact or future contact appointment). Deletion will occur following our bi-annual review of such cases, or if we are no longer regulated to act in a financial planning capacity, within 40 years of such date.
- **Our work colleagues** – in line with the current best practice guidelines and and/or any statutory and/or any contractual, statutory or legal requirements/ guidelines/ limitations at any time from initial contact, commencement, or leaving date as appropriate and necessary.
- **Our service providers** – such personal data as collected, will normally be deleted upon cessation of our mutual agreement, but otherwise in line with the current best practice guidelines and/or any contractual, statutory or legal requirements/guidelines/limitations at any time from initial contact, engagement or cessation of engagement date as appropriate and necessary.

In all cases, we shall adhere to the 'security principle' by maintenance, review and improvement to our security for the protection of all personal data by means of appropriate technical and organisational measures.

Who has access to your information?

Our Clients & Potential Clients / Our Work Colleagues / Our Service Providers:

We will NOT sell or rent your information to third parties.

We have people working on our behalf (What we call 'Our Service Providers'):

Sometimes we use other people (our service providers) to deliver services e.g. professional advice and cloud-based information storage facilities. We have identified one of our service providers, FinaMetrica (Risk Profilers) is not EU based (Australia), however they are committed to compliance with the GDPR/DPA (2018) and confirm they implement appropriate controls aligned with the

International Standard ISO27001/2 to maintain and improve overall data security and privacy compliance. See **Transferring your information outside of Europe** (below).

Whenever we do so, we only disclose the personal data needed to deliver the service. We also have contracts in place that require them to keep your information secure.

Investment / Life Providers / Platforms and authorised Administrators / Trustees

We may share client's personal data to the above as part of our financial planning services, including the provision of any/all required information, quotations, plans, policies and products. You, as a client, may also enter into a direct contract with any of the above when you sign and date your application forms for any quotation/investment/policy/product or service with the above, whereby their privacy policy will apply in addition, or in place of our own.

Accountants/Solicitors/Other Client Designated Contacts

We will only share your personal data with the above if you have requested us to do so and we have a record of this and you have provided us with the contact's details.

Transferring your information outside of Europe

As part of the services offered to you, the information that you provide to us may be transferred to countries outside the European Union ("EU"). Currently we have identified one of our service providers (FinaMetrica) is based in Australia - See 'Who has access to your information' (above), note they are committed to compliance with the GDPR/DPA (2018).

Non-EU countries may not have similar data protection laws to the UK. By submitting your personal data, you're agreeing to this transfer, storing or processing. If we transfer your information outside of the EU in this way, we will take steps to ensure that appropriate security measures are taken, with the aim of ensuring that your privacy rights continue to be protected as outlined in this Policy.

NB If you access our services while you are outside the EU (e.g. on holiday), your information may be transferred outside the EU in order to provide you with those services.

Contacting you

(Website Visitors please refer to Additional Information 'Contact Us')

We will make appropriate contact with you to provide the agreed services.

Where this includes our ongoing financial planning service, we will contact you at the agreed intervals to undertake our review. We may also contact you in between the agreed intervals if we believe that you need to take action (e.g. if you should consider making ISA or pension contributions before tax year-end).

We will not contact you for marketing purposes by post, email, phone or text message unless you have given your prior consent.

You can change your marketing preferences at any time just by letting us know: by email: info@somniumfp.co.uk or by writing to:

Mark Mandeville, Managing Director, Somnium Financial Planning Ltd. Sanderum House, 38 Oakley Road, Chinnor Oxon OX39 4TW.

NB. We will require a record of your marketing preferences, so if you prefer to call us on 01844 355 468, we shall act upon any request to cease any marketing immediately, but to note your updated wishes, we shall send you two copies of the new consent form (with a reply paid envelope for you to send us our copy). This will enable you to confirm these in writing for our and your own records.

Your rights in relation to your personal data

We need to keep your personal data accurate and up to date.

- Where we provide just an initial advice service, the personal data will reflect your situation at that time and we will not normally update this (apart from a change of contact information).
- Where we are providing an ongoing financial planning service we will update your personal data as appropriate when we undertake a review with you. If between reviews you change your contact information, please notify us so we may update our records.

Under certain circumstances, by law you have the right to:

Access: Ask us for a copy of the personal data we hold about you and we will provide this within one month of receipt - free of charge (we may charge a fee for subsequent or duplicate requests).

Rectification: Ask us to correct any information that we hold that is inaccurate or incomplete.

Erasure: Ask us to delete personal data in certain situations. Please note that we will have regulatory obligations to retain information for certain time periods and we will retain such personal data as we believe is necessary to fulfil these obligations or for any legal obligations.

Restrict processing: Ask us to cease processing personal data. This means that we will be able to retain it but no longer act upon it. In the event that you no longer need our services and terminate them, we will automatically cease processing personal data, except where we have a legal or regulatory obligation to do so.

Portability: Ask for your personal data, provided to us by you, to be transferred to you or to another service provider, (but only if the processing is based on consent, carried out by automated means (e.g. excluding paper files). Please note that we will have regulatory obligations to retain copies of the information as outlined previously. Where we transmit such information in response to a valid data transfer request we are responsible for the transmission and will take appropriate measures to ensure it is transmitted securely and to the right destination. You should ensure the security of any data we transmit to you/another provider is subsequently processed and stored appropriately and securely.

Objection – Object to us processing information or using it for marketing purposes.

This is a brief summary of your rights and there may be restrictions on some of them. If you wish to explore any of these rights at any time please contact us on the addresses above and we will be pleased to assist you.

Right to complain

If you believe that we are not holding your information correctly or are unhappy at any dealings with us regarding your information you may complain to the **Information Commissioners Office**.

You can do this:

- via their website <https://ico.org.uk/concerns> or,
- by calling 0303 123 1113 or,
- by writing to them at:

Information Commissioners Office, Wycliffe House,
Water Lane, Wilmslow, Cheshire, SK9 5AF

Additional information for Our Website Visitors

(Including Our Clients & Potential Clients / Our Work Colleagues / Our Service Providers): The personal data we collect might include your name, address, email address, IP address, and information regarding what pages are accessed and when.

'Contact Us': If you use the website 'contact us' page to raise a query or otherwise request we contact you. Please note: **by clicking on the 'SEND', you are confirming your consent for us to contact you for this purpose**, (where not already covered by the lawful basis of us fulfilling our contractual or legal obligations or by the basis of our legitimate interests). The 'contact us' page will also refer you to our latest Privacy Policy and provide a direct link to it.

Our use of cookies: Like many websites, our one uses cookies. Cookies are small text files that are placed on your computer by websites that you visit. Some of these cookies are essential, while others help us to improve your experience by providing insights into how the site is being used. By using our website, you are agreeing to the use of cookies as described.

We use cookies for a number of reasons:

1. We use third parties, including Google Analytics, to collect anonymous user information. To learn more about how we use a third party service to collect and use information [Click here](#) to learn more about how we use a third party service to collect and use information.
2. You can turn cookies off but - but please remember - if you do choose to disable cookies, you may find certain sections of our website do not work properly. However, you will still be able to view our site content.

For more information about **cookies and managing them, including how to turn them off**, please visit the www.allaboutcookies.org

Measuring website usage (Google analytics)

We use Google Analytics to collect information about how people use this site. We do this to make sure it is meeting its users' needs and to understand how we could do it better.

Google Analytics stores information about what pages you visit, how long you are on the site, how you got here and what you click on. **They do not collect or store your personal data** (e.g. your name or address) so this information cannot be used to identify who you are. We do not allow Google to use or share our analytics data.

How we protect your information

We use up-to-date industry procedures to protect your personal data. We have appropriate security measures in place in to protect against the loss, misuse or alteration of information that we have collected from you via our websites. However, please be aware that **the internet is not a secure medium of communication**. We cannot therefore guarantee the security of any information you input onto the website, or that you send to us on the internet. By doing so, you are responsible for any damages you or others may suffer resulting from the loss of confidentiality of any such information.

Transferring your information outside of Europe

As part of the services offered to you through this website, the information that you provide to us, may be transferred to countries outside the European Union ("EU"). By way of example, this may happen if any of our servers are from time to time located in a country outside of the EU. These countries may not have similar data protection laws to the UK. By submitting your personal data, you're agreeing to this transfer, storing or processing. If we transfer your information outside of the EU in this way, we will take steps to ensure that appropriate security measures are taken with the aim of ensuring that your privacy rights continue to be protected as outlined in this Policy.

If you use our services while you are outside the EU, your information may be transferred outside the EU in order to provide you with those services.