

Privacy Notice for Corporate Clients of Incorporate Benefits LLP and their employees

This privacy notice explains how Incorporate Benefits LLP (the “data controller”) uses any personal information we collect about you, our corporate client, and your employees.

What information do we collect about you and how is it collected?

We collect information about you when you engage us for financial planning/financial advice services, for example from forms completed by you or your authorised representative, or if you send information to us by post, fax or email, or provide information to us by telephone. This information will relate to your organisation’s staff details. It may also include special categories of personal data such as data about your employees’ health, if this is necessary for the provision of our services.

We may also collect information when you voluntarily complete client surveys or provide feedback to us.

Information relating to usage of our website is collected using cookies. These are text files placed on your computer to collect standard internet log information and visitor behaviour information.

Information about connected individuals

We may need to gather personal information about your employees and their spouses and dependants in order to provide our service to you. In such cases it will be your responsibility to ensure that you have the consent of the people concerned to pass their information on to us. You as the employer are the initial point of contact for data protection issues for your employees. We provide access to a copy of this Privacy Notice for employees which can be found on our website at <https://www.kerrhenderson.com/GDPR> or, where appropriate, you make this privacy notice available to them as part of employee benefits / HR communications.

Why do we need to collect and use the personal data of your employees?

The primary legal basis that we intend to use for the processing of your employees’ data is for the performance of our contract with you. The information that we collect about your staff is essential for us to be able to carry out the services that you require from us. Without collecting their personal data we’d also be unable to fulfil our legal and regulatory obligations.

Where special category data is required and we are not dealing with the employee as a client in their own right, the employer will obtain employees’ explicit consent in order to collect and process this information.

How will we use the information about you?

We collect information about you in order to provide you with the services for which you engage us.

We will use particularly sensitive personal information about employees' health to pass on to insurers for them to assess any claims for particular benefits, i.e. ill health or incapacity benefits. We do not envisage having to process information about criminal convictions.

With whom might we share your information?

If you agree, we'll pass on your personal information to our group of companies so that they may offer you their products and services. We won't share your information for marketing purposes with companies outside our group of companies.

In order to deliver our services to you effectively we may send details you provide us with to third parties such as those that we engage for professional compliance, accountancy or legal services as well as product and platform providers that we use to arrange financial products for you.

Where third parties are involved in processing your employees' data we will have a contract in place with them to ensure that the nature and purpose of the processing is clear, that they are subject to a duty of confidence in processing your data and that they will only act in accordance with our written instructions.

Where it is necessary for your employees' personal data to be forwarded to a third party we will use appropriate security measures (usually either encryption or password-protection) to protect your personal data in transit.

To fulfil our obligations in respect of prevention of money-laundering and other financial crime we may verify your details with third party agencies for identity verification purposes.

How long do we keep hold of your information?

Where we hold it, employees have the right to request deletion of their personal data. We will comply with this request, subject to the restrictions of our regulatory obligations and legitimate interests as noted above.

During the course of our relationship with you we'll retain personal data which is necessary to provide services to you. We'll take all reasonable steps to keep your personal data up to date throughout our relationship.

We're also subject to regulatory requirements to retain your data for specified minimum periods. These are, generally:

- Five years for investment business
- Indefinitely for pension transfers and opt-out business
- Three years for insurance business

These are **minimum** periods, during which we have a legal obligation to retain your records.

We reserve the right to retain data for longer where we believe it's in our legitimate interests to do so, e.g. for the purpose of defending or participating in a future claim against us.

If you decide not to proceed with our services, we will retain the data you have provided for a period of 12 months after which it will be erased.

What rights do you have in relation to the personal information that we hold about you?

We have certain legal obligations, which allow us to use employees' personal information to provide services to you and your employees where required. We also have what are known as 'legitimate interests' in processing this personal information. Under certain circumstances, by law data subjects have the right to:

- **Request access** to their personal information (commonly known as a "data subject access request")
- **Request correction** of the personal information we hold
- **Request erasure** of particularly sensitive personal information, which employees have provided explicit consent for us to hold. We will ask for your / your employees' consent to hold particularly sensitive personal information, such as medical information, unless there is an alternative legal basis for us processing this information
- **Object to processing** of personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground
- **Request the restriction of processing** of personal information
- **Request the transfer** of personal information to another party.

If employees want to review, verify, correct or request erasure of their personal information, object to the processing of your personal data, or request that we transfer a copy of their personal information to another party, please contact our Data Protection Officer, John Kerr, in writing.

Right to withdraw consent

In the event you or an employee has provided explicit consent to us processing their personal information, they have the right to withdraw their consent at any time. To withdraw consent, please contact us using the contact details below. Once we have received notification that you or you employee have withdrawn consent, we will no longer process personal data for that purpose and, subject to our retention policy, we will dispose of the personal data securely. In the event consent is withdrawn, we may not be able to provide services to you or your employee, for example, if an employee withdraws consent for us to receive their medical information we would not be able to process their claim for ill health benefits.

We will aim to respond to any request received from you within one month from your request.

Marketing

On occasion we may like to send you information about our products and services and those of other companies in our group which may be of interest to you. If you've agreed to receive marketing information, you may opt out at a later date.

You have a right at any time to stop us from contacting you for marketing purposes or giving your information to other members of the group. If you no longer wish to be contacted for marketing purposes, please contact us by email or post.

Other websites

Our website contains links to other websites. This privacy policy only applies to this website so when you link to other websites you should read their own privacy policies.

What can you do if you are unhappy with how your personal data is processed?

You also have a right to lodge a complaint with the supervisory authority for data protection. In the UK this is:

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

0303 123 1113 (local
rate)

Changes to our privacy policy

We keep our privacy policy under regular review and we will place any updates on the relevant section of our website when they occur. This privacy policy was last updated in January 2021.

How to contact us

Please contact us if you have any questions about our privacy policy or information, we hold about you: by email at dataprotection@kerrhenderson.com

Or write to us at Data Protection, Incorporate Benefits LLP, 16 Wellington Park, Belfast BT9 6DJ.