

Customer Privacy Notice – Portcullis Wealth Retention Ltd

WHO ARE WE?

Portcullis Wealth Retention Ltd is a small firm helping its clients deal with filing self assessment tax returns, creating Lasting Powers of Attorney, Wills, Trusts and dealing with the Probate process.

We are committed to ensuring that your privacy is protected. We adhere to the European Union's General Data Protection Regulations 2016 (GDPR) and the Electronic Communications Regulations (2003)

This notice sets out how Portcullis Wealth Retention Ltd uses and protects information that you provide. For the purposes of GDPR, the data controller is Portcullis Wealth Retention Ltd, and our registered address is as shown above:

WHY SHOULD YOU READ THIS DOCUMENT?

During the course of dealing with us, we will ask you to provide us with detailed personal information relating to your existing circumstances, your financial situation and, in some cases, your health and family health history (Your Personal Data).

This notice is important as it allows us to explain to you what we will need to do with Your Personal Data, and the various rights you have in relation to Your Personal Data.

WHAT DO WE MEAN BY "YOUR PERSONAL DATA"?

Your Personal Data means any information that describes or relates to your personal circumstances. Your Personal Data may identify you directly, for example your name, address, date or birth, National Insurance number.

Your Personal Data may also identify you indirectly, for example, your employment situation, your physical and mental health history, or any other information that could be associated with your cultural or social identity.

In the context of providing you with assistance in relation to your requirements, Your Personal Data may include:

- Title, names, date of birth, gender, nationality, civil/marital status, contact details, addresses and documents that are necessary to verify your identity
- Employment and remuneration information, (including salary/bonus schemes/overtime/sick pay/other benefits), employment history
- Bank account details, tax information, loans and credit commitments, personal credit history,

sources of income and expenditure, family circumstances and details of dependents

- Health status and history, details of treatment and prognosis, medical reports (further details are provided below specifically with regard to the processing we may undertake in relation to this special type of data)

USING YOUR PERSONAL DATA: THE LEGAL BASIS AND PURPOSE

When we speak with you about your requirements, we do so on the basis that both parties agree that the processing of personal data is necessary to perform our contract with you and we will ask for your consent to hold and process your personal data. Once we have your consent, this will be a valid reason for holding your data until such times as you withdraw the consent.

Either in the course of initial discussions with you or when the contract between us has come to an end for whatever reason, we have the right to use Your Personal Data provided it is in our legitimate business interest to do so and your rights are not affected.

For example, we may need to respond to requests from HMRC, HMCTS or OPG relating to the submissions we have made on your behalf or advice we have given to you, or to make contact with you to seek feedback on the service you received.

On occasion, we will use Your Personal data in order to comply with a legal obligation, or for wider compliance with any legal or regulatory obligation to which we might be subject. In such circumstances, we would be processing Your Personal Data in order to meet a legal, compliance or other regulatory obligation to which we are subject.

THE BASIS UPON WHICH WE WILL PROCESS CERTAIN PARTS OF YOUR PERSONAL DATA

Where you ask us to assist you with for example to complete an application for Probate, we will ask you information about your relationship to the deceased, make enquiries about your mental health and require the deceased's original death certificate and last Will & Testament documentation.

We will record and use Your Data in order to make applications and declarations to the Her Majesty's Revenue & Customs (HMRC) Capital Taxes Office and Her Majesty's Courts Service (HMCTS)

If you have parental responsibility for children under the age of 18, it is also very likely that we will record

information on our systems that relates to those children and potentially, to their Special Data.

HOW DO WE OBTAIN OR COLLECT YOUR PERSONAL DATA?

We will collect and record Your Personal Data directly from you and any third party as directed by you, such as your Financial Adviser, Solicitors or Accountants.

You will usually provide information during the course of our initial meetings or conversations with you to establish your circumstances and needs and preferences in relation to us providing you with advice. You may provide information to us verbally and in writing, including email and via our website.

With regards to electronic ID checks, this is our preferred method and we will always obtain your consent before we carry out an ID check.

WHAT HAPPENS TO YOUR PERSONAL DATA WHEN IT IS DISCLOSED TO US?

In the course of handling Your Personal Data, we will:

Record and store Your Personal Data using our third party processor Microsoft and Dropbox who provide us with our back-office administration system, and your data will be stored on their UK based secure servers. This information can only be accessed by authorised employees within our Firm and only when it is necessary to provide our service to you and to perform any administration tasks associated with or incidental to that service.

Submit Your Personal Data to HMRC, HMCTS, OPG, Solidus IEP or investment, banking and other service providers of the deceased as part of the administration and distribution of the deceased's estate. This can be in both in paper form and on-line via a secure portal.

The provision of this information to a third party is essential in allowing us to progress any enquiry or application made on your behalf and to deal with any additional questions or administrative issues that may arise as we deal with an application or filing.

Use Your Personal Data for the purposes of responding to any queries you may have in relation to any application you have instructed us to submit or complete, or to inform you of any developments in relation to those applications or submissions which we might become aware.

Share your data with third parties as below, where we are specifically required to do so in the provision of a service for which you have engaged Portcullis Wealth Retention to provide or complete successfully.

SHARING YOUR PERSONAL DATA

From time to time Your Personal Data will be shared with certain third parties as below:

- HMRC via the HMRC Agents Portal for Self Assessment and inheritance tax filing,
- Office of the Public Guardian for the registration of Lasting Powers of Attorney,
- Solidus IEP for the creations of Wills & Trusts,
- HMCTS in the application for Grant of Probate or Letter of Administration.
- Microsoft and Dropbox provides us with our back-office administration system, , and your data will be stored on their UK based secure servers.
- IT service providers who support our business.
- Electronic signature service providers who facilitate electronic exchanges of contracts and signed documents.
- Confidential document shredding service providers as we maintain electronic client records.

In each case, your Personal Data will only be shared for the purposes set out in this customer privacy notice, i.e. to progress your enquiry and to provide you with our professional services.

Please note that this sharing of Your Personal Data does not entitle such third parties to send you marketing or promotional messages and we will never sell your personal data for marketing purposes: it is shared to ensure we can adequately fulfil our responsibilities to you, and as otherwise set out in this Customer Privacy Notice.

We do not anticipate that the performance by us of our service will involve Your Personal Data being transferred outside of the European Union.

SECURITY AND RETENTION OF YOUR PERSONAL DATA

Your privacy is important to us and we will keep Your Personal Data secure in accordance with our legal responsibilities. We will take reasonable steps to safeguard Your Personal Data against it being accessed unlawfully or maliciously by a third party.

We also expect you to take reasonable steps to safeguard your own privacy when transferring information to us, such as not sending confidential information over unprotected email, ensuring email attachments are password protected or encrypted and only using secure methods of postage when original documentation is being sent to us.

If we have engaged with you and collected your Personal Data, we will retain your personal data for as long as you might legally bring claims against us, and in terms our contractual relationship coming to an

end with you, we will retain your personal data based on our legal and regulatory requirements.

YOUR RIGHTS IN RELATION TO YOUR PERSONAL DATA

You can:

- ✔ Request copies of Your Personal Data that is under our control
- ✔ Ask us to further explain how we use Your Personal Data
- ✔ Ask us to correct, delete or require us to restrict or stop using Your Personal Data (details as to the extent to which we can do this will be provided at the time of any such request)
- ✔ Ask us to send an electronic copy of Your Personal Data to another organisation should you wish
- ✔ Amend or withdraw the basis of any consent you may have provided to enable us to market to you or process your personal data in the future (including withdrawing any consent in its entirety).

You can do this by writing to us, by telephone on 01245 967118 or emailing us

kbrewer@portculliswealth.com

HOW TO MAKE CONTACT WITH OUR FIRM IN RELATION TO THE USE OF YOUR PERSONAL DATA

If you have any questions or comments about this document, or wish to make contact in order to exercise any of your rights set out within it please contact:

James A Caviel, Director, Portcullis Wealth Retention Ltd, Goldlay House, 114 Parkway, Chelmsford, Essex, CM2 7PR.

If we feel we have a legal right not to deal with your request, or to action it in different way to how you have requested, we will inform you of this at the time. You should also make contact with us as soon as possible on you becoming aware of any unauthorised disclosure of Your Personal Data, so that we may investigate and fulfil our own regulatory obligations.

Our Privacy Notice will be regularly under review so please re-visit this on a regular basis to view any updates. If you have any concerns or complaints as to how we have handled Your Personal Data you may lodge a complaint with the UK's data protection regulator, the Information Commissioners Office (ICO).

They can be contacted through their website at <https://ico.org.uk/global/contact-us/> or by writing to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF