

Privacy statement

Keeping data confidential

Privacy statement

This *Privacy statement* applies to intermediaries who submit business under the following terms:

- (1) *Terms of business non-FCA regulated firms*;
- (2) *Terms of business authorised introducers*, both issued by Sanlam Private Investments (UK) Limited; and
- (3) *Terms of business for intermediaries*, issued by Sanlam Investments and Pensions.

1. Purpose of this *Privacy statement*

This *Privacy statement* applies to intermediaries submitting business to:

- (i) **Sanlam Private Investments (UK) Limited (SPW)** in accordance with its *Terms of business non-FCA regulated firms* and/or *Terms of business authorised introducers*; and
- (ii) **Sanlam Life & Pensions UK Limited and Sanlam Financial Services UK Limited** (together trading as Sanlam Investments and Pensions) in accordance with its *Terms of business for intermediaries*.

This *Privacy statement* replaces existing terms governing data protection currently in place between intermediaries and (i) SPW and (ii) Sanlam Investments and Pensions. This *Privacy statement* explains why we collect personal data, what personal data we collect and how we use it. Your rights in respect of your data are also explained.

If you are a regulated introducer or intermediary and you are part of a network, you undertake to notify your principal or network of this *Privacy statement*. If you are a principal or network, you undertake to provide each firm within your network with a copy of this *Privacy statement*.

2. Terms used in this *Privacy statement*

'Data controller', 'data processor', 'personal data', 'data subject' and 'processing' shall have the meaning set out in the Data Protection Legislation, and 'process' or 'processed' shall be construed accordingly.

'Data Protection Legislation' means unless and until it is no longer directly applicable in the UK, (i) the General Data Protection Regulation ((EU) 2016/679) (GDPR) and

any national implementing laws, regulations and secondary legislation, as amended or updated, in the UK and (ii) any successor legislation to the GDPR or the Data Protection Act 1998.

'Sanlam', 'we' or 'our' means SPW or Sanlam Investments and Pensions, as applicable, depending on the particular terms of business which you as an introducer, intermediary or principal firm have entered into.

'Terms of business' means (i) SPW's *Terms of business non-FCA regulated firms* and *Terms of business authorised introducers*, and/or (ii) Sanlam Investments and Pensions' *Terms of business for intermediaries*, as applicable.

'You' means an introducer or intermediary who submits, or has submitted, business to SPW and/or Sanlam Investments and Pensions under the relevant Terms of business.

3. Client personal data

You and we are each data controllers of the personal data we process in relation to clients. For these purposes, reference to clients means data subjects who are clients of both Sanlam and you and whose personal data is processed by one or both of us. You and we shall comply at all times with the Data Protection Legislation and are each independently responsible for such compliance.

We shall process client personal data in accordance with the *Sanlam privacy statement*, which is available on our website at www.sanlam.co.uk

You undertake in relation to all client personal data you supply to us in accordance with these *Terms of business* that (i) all necessary consents have been obtained from, and all fair processing notices have been provided to, clients which are sufficient to enable us or our third-party processor(s) to carry out our obligations under the relevant *Terms of business* in accordance with the Data Protection Legislation; and (ii) where a client discloses personal data to us relating to a third party (such as a family member, dependent or beneficiary), that client has confirmed they are entitled to provide such personal data.

In the event either you or we become aware of a client complaint concerning the way

the client's personal data is processed or a request to exercise any of their rights as a data subject, which is likely to impact on the other party, you or we shall notify each other without undue delay and shall co-operate and provide reasonable assistance to respond to and resolve any such complaint or request.

For the avoidance of doubt you may only access the personal data relating to your clients and only in respect of the business that you are responsible for servicing.

SPW may grant introducers access to its Online Valuation Services (OLV) and Sanlam Investments and Pensions may grant intermediaries access to its online valuation facility, however neither SPW nor Sanlam Investments and Pensions shall be responsible if the staff or former staff of such introducers or intermediaries access either online valuation system contrary to their own restrictions or the Data Protection Legislation.

4. Our personal data

When processing personal data that we supply to you, you shall:

- use appropriate technical or organisational measures to ensure appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage;
- retain it for no longer than is necessary;
- use it only for the original purpose it was obtained;
- notify us promptly in the event of a personal data breach;
- restrict access only to such personal data to employees who require to have it; and
- comply with your obligations under the Data Protection Legislation.

5. Your personal data

We may need to collect personal data about you or any person associated or employed by you when you register with Sanlam Investments and Pensions as an intermediary or with SPW as an introducer, as applicable, and thereafter throughout the course of our business relationship with you. You undertake to ensure that, where any person associated with you or employed by you becomes a data subject, you have informed them of these data protection provisions.

The personal data we collect may include: names, addresses, date of birth, gender, regulatory status, job title, firm name, FCA individual registration number, bank account details and email address. We may obtain this information from you when you register with us and during our business relationship, from your client(s), product and service providers and from third parties such as Companies House, the Financial Conduct Authority (the 'regulator'), credit reference and anti-fraud agencies.

We may automatically collect technical information such as your internet protocol (IP) address if you use our website. We will not obtain or store personally identifiable information about you from our cookies. Please see our 'Cookie policy' on our website for more information.

We may record and monitor telephone calls for quality control and regulatory purposes.

How we use your personal data

We use your personal data to:

- perform our contractual obligations under our *Terms of business*, including: to process your registration; to confirm your identity; to administer the business you submit on an ongoing basis; to make payments to you; to correspond with you and to develop our business relationship with you;
- to comply with our legal obligations, including: where we are required to use your personal data and maintain records of our dealings with you by the regulator, the Information Commissioner's Office (ICO) and HMRC; to respond to complaints and data subject requests; and to investigate, prevent or detect crime; and/or
- where it is necessary for our legitimate interests (or those of a third party) including: to exercise our rights; to prevent, investigate and detect fraud; to carry out fraud, credit and anti-money laundering checks; to respond to enquiries and complaints from you and/or client(s); to provide management information for business monitoring; to maintain our business records; to manage our financial position and business capability; to obtain professional advice; for accounting and auditing purposes, and for marketing research and statistical purposes.

We may process your personal data without your knowledge or consent where this is required or permitted by law.

Sensitive personal data

In the unlikely event we need your consent to process personal data, for example to process sensitive personal data (such as information about health) or criminal offences or proceedings, we will tell you. In limited circumstances, this type of personal data may need to be processed where we need to carry out our legal obligations, where it is in the public interest (such as for equal opportunities reporting or the prevention and detection of unlawful acts or preventing fraud), in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

If you provide sensitive personal data and/or information relating to criminal offences or proceedings on behalf of your clients or another third party, we will ask you to confirm that the third party has provided his or her consent for you to act on their behalf.

Sharing personal data

We may share your personal data with third-party service providers, a term which includes but is not limited to companies in the Sanlam group with whom we deal as part of the operation of our services, including: IT and back-office administration providers; banks; credit reference agencies for identity verification, anti-fraud and anti-money laundering checks; records storage and archiving; professional advisers; printers; tracing agents; debt collection agencies; third-party providers, including insurers; providers of compliance services; and survey and marketing communication providers.

We may share your personal data with third parties to conduct market research, for statistical purposes and for estimating product sale or performance – we will not identify your clients if we take part in these activities.

Where we are under a legal duty, we may share your personal data with HMRC and other tax authorities, the regulator, the Prudential Regulation Authority, the Financial or Pensions Ombudsman services, the Department of Work and Pensions, the courts, the police and other law enforcement agencies.

We will share your personal data for our legitimate interests with other entities in our group as part of our regular reporting activities on company performance, for business development and trend analysis purposes, for fraud detection and prevention, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

We may share your personal data with other third parties in the context of the possible sale or restructuring of the business.

Transferring personal data

We do not typically transfer your personal data outside the EEA. However, on a limited basis we may transfer personal data to South Africa (to our group companies) for compliance and internal audit checks and for group reporting purposes, and to the USA as part of our internal compliance and reporting support services. We will ensure all personal data transferred is protected by putting in place appropriate contractual obligations in such cases.

Retaining personal data

We will hold your personal data securely and will keep your personal data for as long as we have a business relationship with you. Thereafter we may keep your data for up to seven years to enable us to respond to any questions or complaints and to maintain records where we are required to do so. We may keep your data for longer than seven years if we cannot delete it for legal, regulatory or technical reasons.

Your rights

In certain circumstances you can: request access to, correction or erasure of, and restriction of processing of, your personal data; object to the processing of your personal data and request the transfer of your personal data to another party. You can withdraw consent to our processing of your personal data in the unlikely event we requested your consent (such as to process sensitive personal data). There may be occasions where we cannot comply with a request and we will tell you if this is the case and give our reasons. In some cases, we may have to stop paying you.

6. General information

We will send you information relating to your clients and the business you submit as part of our service administration. We, or our group companies, may also provide you with other information relevant to the business you submit and in relation to Sanlam, its group and its products and services where we have a legitimate interest to do so or where we are otherwise legally permitted. Our group companies are listed under 'About us' on our website at www.sanlam.co.uk

We reserve the right to update this *Privacy statement* at any time, and we will notify you if we make any substantial updates. You should check our website periodically to view the most up-to-date *Privacy statement*. We may also notify you in other ways about the processing of your personal data.

7. Contact

If you have any queries or complaints regarding this *Privacy statement*, please contact us as follows:

Data Protection

Sanlam
St. Bartholomew's House
Lewins Mead
Bristol BS1 2NH

E clientservices@sanlam.co.uk

T 0117 975 2222

Monday to Friday between 9am and 5pm (excluding bank holidays).

You can also contact the Information Commissioner's Office at:

Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

T 0303 123 1113

Sanlam Private Wealth and Sanlam Wealth are trading names of Sanlam Life & Pensions UK Limited (SLP), Sanlam Financial Services UK Limited (SFS), Sanlam Trustee Services UK Limited (STS), Sanlam Wealth Planning UK Limited (SWP), English Mutual Limited (EML) and Sanlam Private Investments (UK) Ltd (SPI). SLP is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. SFS and SPI are authorised and regulated by the Financial Conduct Authority. EML is an appointed representative of SWP which is authorised and regulated by the Financial Conduct Authority.

Registered Office for SLP, SFS, STS, SWP, EML: St. Bartholomew's House, Lewins Mead, Bristol, BS1 2NH and for SPI: Monument Place, 24 Monument Street, London EC3R 8AJ. Each company is registered in England & Wales with the following registered number: SLP (00980142), SFS (02354894), STS (01489455), SPI (02041819), SWP (03879955) and EML (06685913).

enq@sanlam.co.uk

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