

COSTIGAN KING PRIVACY NOTICE

Critchlow and Associates Limited (trading as Costigan King)

PRIVACY NOTICE

About this notice

Welcome to our Privacy Notice. Costigan King (the "**Firm**") is committed to protecting your personal information when you use our services. This notice explains how we collect, retain and process your personal information.

Your rights regarding processing of your personal information

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

- **object to processing of your personal information;**
- request access to the personal information we hold about you;
- request correction of the personal information that we hold about you;
- request erasure of your personal information;
- request the restriction of processing of your personal information;
- request the transfer of your personal information to another party in a commonly used form.

For more information on your rights, please see section 1.8 of this notice. To exercise one of these rights, please see section 1.1 which provides various ways that you can get in touch with us.

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1 YOUR PERSONAL INFORMATION

This section sets out how the personal information that we collect about you will be used.

We are committed to observing relevant legal and regulatory requirements and employing appropriate security measures in order to protect your personal information.

1.1 Contacting us

For the purposes of data protection legislation, the Firm is a "**controller**" meaning that we determine the purpose and means of processing the information we collect from you.

If you ever have any questions, comments or complaints about this notice, or any of its contents, please contact us via any of the following means and we will be pleased to assist you:

By post	Data Protection Section, 107 Fleet Street, London EC4A 2AB
By email	dataprotection@costiganking.com
By phone	0207 936 9780

1.2 Information that we collect

This section details the types of information we collect about you:

- (a) information that you provide to us from time to time including when you request or use any of our services, or when you submit queries to us;
- (b) identity data including your name, marital status, title, nationality and date of birth;
- (c) identification data including passport details, driving licence or other identification documents including for Money Laundering Regulation purposes;
- (d) contact data including postal addresses, email address and telephone numbers;
- (e) details of your financial position and history;
- (f) if you contact us by any means including by telephone, we will keep a record of that correspondence and information that you provide to us in that correspondence;
- (g) details of your visits to any of our websites.

1.3 How we use your information

General uses of information

We use your information:

- (a) to confirm your identity and allow us to carry out checks in the interest of security and to prevent and detect fraud;
- (b) to provide you with our services;
- (c) to improve the products and services that we offer;
- (d) to respond to your queries;
- (e) to carry out our obligations under any contracts entered into between you and us;
- (f) to assess credit risk;
- (g) to send you marketing information;
- (h) to comply with legal and regulatory requirements that apply to us;
- (i) for general statistical analysis.

Information used for marketing purposes

We use your information to identify products and services and/or events that we think may be of interest to you.

We will only send you marketing messages by email and/or SMS where you have consented to such contact, or in the case of products and services, where these are similar to those that we have already provided to you.

You have the right to ask us not to send you marketing messages by post, telephone or email or any combination of these at any time.

You can do this by:

- (a) checking certain boxes on the forms we use to collect your data;
- (b) replying directly to the marketing message:
 - (i) in case you wish to withdraw from all marketing communications, you can also unsubscribe from all marketing by clicking the appropriate link in any email you receive;
- (c) contacting the Data Protection Section at any time (see section **1.1**).

Lawful processing

In terms of the legal bases we rely on to process your information, these are where the processing is necessary:

- (a) for the performance of a contract with you for provision of our services or to take steps at your request prior to entering into such a contract;
- (b) to comply with our legal obligations;
- (c) for our legitimate interests in:
 - (i) ensuring the quality of the services we provide to you;
 - (ii) collecting information for marketing purposes;
 - (iii) communicating with you;
 - (iv) statistical analysis;
- (d) where you have consented to such use.

We process your sensitive and special categories of information (this includes data concerning your health, personal data revealing your racial or ethnic origin, political opinions, religious or philosophical beliefs, or data concerning sexual orientation) where we have asked for your explicit consent or otherwise where this is necessary:

- (a) for the establishment, exercise or defence of legal claims;
- (b) where we need to carry out our legal obligations.

In the case that you have obviously made information public (e.g. on social media) we will process sensitive/special categories of information for the purposes of carrying out our legal obligations.

If provision of your personal information is a legal or contractual requirement or a requirement necessary to enter into a contract with us, and you choose not to provide it, we may not be able to perform some of the tasks we need to in order to provide certain products or services to you.

If you do choose to provide your consent you can withdraw it at any time by contacting the Data Protection Section (see section **1.1**).

1.4 Sharing your information

We will not pass your information on to third parties except:

- (a) we will provide your information to our service providers to allow them to assist us with delivering the products or services that you have requested, under the following categories:
 - (i) accountants;
 - (ii) auditors;

- (iii) other lawyers referred by us, or by you, in relation to the provision of our services;
- (iv) information technology and information security providers;
- (b) intermediaries that introduce you to us;
- (c) companies that we introduce you to;
- (d) law enforcement agencies, fraud prevention agencies and regulators where we are under a duty to disclose or share your information in order to comply with any legal or regulatory obligation, or if we reasonably consider that this is necessary to help prevent or detect fraud or other crime or to protect the rights, property, or safety of the Bank, our customers or others;
- (e) if we are under a duty to disclose or share your information with HM Revenue & Customs ("**HMRC**"), who may transfer it to the government or the tax authorities in another country where you may be subject to tax;
- (f) if you have consented to any disclosure to a third party.

Our websites may, from time to time, contain links to and from third party websites. If you follow a link to any of these websites, please check their privacy policies.

1.5 Where we store and use your information

[We may transfer, use and/or store your personal information outside of the European Economic Area ("**EEA**") and the laws of some of these destination countries may not offer the same standard of protection for personal information as in the UK. A list of the countries within the EEA will be posted on our website.

We may update this in list from time to time and any changes will be communicated to you via an update to this Privacy Notice.]

Transfers to our third party service providers are to enable them use and store your personal information on our behalf We will, however, put in place appropriate security procedures in order to protect your personal information. We also ensure that, where your information is transferred to any country outside the EEA this is done using specific legally-approved safeguards. You can request further details by contacting the Data Protection Section (see section **1.1**).

1.6 Keeping your information

We will keep your information only for as long as necessary depending on the purpose for which it was provided. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from the Data Protection Section.

When determining the relevant retention periods, we will take into account factors including:

- (a) nature and sensitivity of the personal data;
- (b) the potential risk of harm from unauthorised use or disclosure of your personal data;

- (c) the purposes for which we process your personal data and whether we can achieve those purposes through other means;
- (d) our legal obligations under applicable law to retain data for a certain period of time;
- (e) statute of limitations under applicable law(s);
- (f) (potential) disputes; and
- (g) guidelines issued by relevant supervisory authorities.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

1.7 Security

We have put in place measures to protect the security of your information.

These measures are intended to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Unfortunately, the transmission of information via email is not secure. Therefore, if you use email for communicating with the Bank we cannot guarantee that it will remain confidential whilst in transit.

1.8 Your rights

You have the right to be provided with clear, transparent and easily understandable information about how we use your information and your rights. This is why we're providing you with the information in this notice.

Your rights in connection with personal information

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

- (a) object to processing of your personal information where we are relying on a legitimate interest (or that of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes;
- (b) request access to your personal information (commonly known as a "**data subject access request**"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it;

- (c) request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
- (d) request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see above);
- (e) request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it;
- (f) request the transfer of your personal information to another party in a machine-readable, commonly used and structured format.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Section (see section 1.1) in writing.

The various rights are not absolute and each is subject to certain exceptions or qualifications. In some cases, these rights do not become a legal requirement until 25 May 2018. In these cases we may not be able to fulfil your request to exercise the right before this date. Where we cannot provide a full response to you for this reason, we will let you know about this in our initial reply to your request.

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Fees

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). In some cases, we may charge a reasonable fee if your request for access is clearly unfounded or excessive, or if you request multiple copies of the information. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to complain

If you wish to request further information about any of the above rights, or if you are unhappy with how we have handled your information, contact the Data Protection Section (see section 1.1 for contact details).

If you are not satisfied with our response to your complaint or believe our processing of your information does not comply with data protection law, you can make a complaint to the Information Commissioner's Office ("**ICO**"): <https://ico.org.uk/global/contact-us>
ICO Helpline: 0303 123 1113.

1.9 Changes to our Privacy Notice

We keep our Privacy Notice under regular review and any updates will be posted on our website in the most recent version of this Privacy Notice. Where appropriate, changes may be notified to you by post or email.