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## 1. OUR APPROACH

This privacy policy sets out how we, King & Shaxson, headquartered at 1<sup>st</sup> floor, Cutlers Court, 115 Houndsditch, London, EC3A 7BR, process the personal information of our customers (or employees of our customers) in the European Union (“User” or “you”).

The King & Shaxson group consists of 3 regulated entities:

- (a) King & Shaxson Limited;
- (b) King & Shaxson Asset Management Limited; and
- (c) PhillipCapital UK Limited

Within these legal entities, there are a number of business units that use different trading names as set out below:

- (a) King & Shaxson Ethical Investing;
- (b) Dowgate;
- (c) NCL Capital Markets

Together, the above comprise the King & Shaxson group (referred to herein as “K&S”, “we”, “us”). Each entity is a data controller and is subject to the General Data Protection Regulation (the “GDPR”) and the Data Protection Act 2018. Depending upon the services provided to you, either King & Shaxson Limited, King & Shaxson Asset Management Limited or PhillipCapital UK Limited will be the data controller of your personal data.

## 2. HOW DO WE COLLECT INFORMATION ABOUT YOU?

We may collect personal information when you when you apply for an account, use one of our services or in the course of providing you with one of our services. We may also receive personal information about you from third parties, such as an independent financial adviser (“IFA”), where services are provided by King & Shaxson Asset Management Limited, or other third parties that we utilise when undertaking standard checks on you before accepting you as a client. In some instances, we may collect information from you prior to you becoming our client, for example, if you communicate with us via our websites.

## 3. WHAT INFORMATION DO WE HOLD ABOUT YOU?

As part of our account opening process, we are required to obtain a certain amount of information from you in order to satisfy our regulatory obligations.

If a private individual, when you open an account with King & Shaxson Ethical Investing or PhillipCapital UK Limited, we will collect the following types of personal data from you:

- Your name, address and contact information;

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- Your date of birth, national insurance number or other relevant tax identifier and passport number;
  - Other due diligence information required; and
  - Information about your financial circumstances.

In certain circumstances, we may also collect sensitive personal information about your health and/or medical conditions. However, this is not collected in the normal scope of business and would normally be where a client informs us of such data in connection with a specific request in relation to their account.

Where a corporate client, when you open an account with King & Shaxson Limited, we may collect the following types of personal data from you:

- The name, address and contact information of directors / shareholders;
- Your date of birth, national insurance number or other relevant tax identifier and passport number (if required);
- Other due diligence information required; and

## **4. WHAT DO WE DO WITH YOUR PERSONAL INFORMATION?**

### **4.1 Personal Information**

We will use your personal information, and may share your personal information with other third parties acting on our behalf, for one or more of the following purposes:

- to carry out our services or to respond to any enquiry or complaint you may make to us;
- to prevent or detect fraud or abuses of our service, for example, by requesting you complete a questionnaire so that we can verify who you are;
- to enable our service providers or agents to carry out certain functions on our behalf, for example, verification, settlement or IT support or telecommunications or other relevant functions;
- for regulatory and legal compliance purposes; and
- for our own administrative purposes, including training our staff, conducting internal audits or transferring assets as part of a sale, purchase or investment in the business.

### **4.2 Sensitive Personal Information**

Should the circumstances arise where we are in receipt of sensitive personal information, we will only use such information:

- to administer or carry out our obligations under our service to you; or
- to fulfil any legal or regulatory obligations; and

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## 5. GROUNDS FOR PROCESSING YOUR PERSONAL INFORMATION

To process your personal information lawfully, we need to rely on one or more valid legal grounds. These are set out in more detail below.

### 5.1 Performance of a contract

Our primary legal ground for collecting and processing your personal information is to fulfil our contract to you. Due to the nature of the products we provide, we will need relevant information about you in order to manage your investments in a suitable manner. Please note that if you fail to provide your personal information we may not be able to accept you as a customer or perform the contract we have entered into with you.

### 5.2 Compliance with our legal obligations

We may process your personal data in order to comply with our legal and regulatory obligations. This would include carrying out checks to confirm your identity and for 'know your client' purposes, including checks for anti-money laundering purposes. These checks are carried out at the account opening stage and may also be carried out in order to carry out at other times while you are a client of ours.

Please note that we may use a third party agency to undertake such checks. Any use of your personal information by those parties will also be subject to the terms of their own privacy policy.

### 5.3 Legitimate interests

We may also process your personal data where it is in our legitimate interests as a business (except where your interests or fundamental rights override these). For example, it is within our legitimate interests to use your personal information to prevent or detect fraud or abuses of our service, send you information or research which you have requested or keep our records up to date.

### 5.4 Other purposes

Your personal data may also be processed where:

- It is necessary to protect yours or another person's vital interests; or
- Where you have given us your express or explicit consent, such as where we process your sensitive personal information (such as your medical history).

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## 6. DISCLOSURE OF YOUR PERSONAL INFORMATION

There are circumstances where we may wish to disclose or are compelled to disclose your personal information to third parties. This will only take place in accordance with the law or our regulatory obligations and for the purposes listed above.

Situations where your data may be shared can include:

- Disclosure of your personal data to organisations that assist us in the performance of our services to you, such as a custodian;
- Disclosure of your personal data to other members of the King & Shaxson group;
- For clients of King & Shaxson Ethical Investing:
  - Disclosure of your personal data to your IFA where we have your permission to reveal the information;
  - Where you are the beneficiary of a portfolio that is legally owned by a third party provider, such as a Self Invested Personal Pension (“SIPP”) provider, disclosure of your personal data to such third party provider; or
- Disclosure of your personal data where we are required to release the information by law;

We do not sell, rent, trade or otherwise derive income from your data. We do not use automated means to process your data or make decisions regarding you.

## 7. RETENTION OF PERSONAL INFORMATION

Your personal information will be retained for as long as it is necessary to carry out the purposes set out in this privacy policy (unless longer retention is required by law). However, we will not retain any of your personal information beyond this period and the retention of your personal information will be subject to periodic review. We may keep an anonymised form of your personal information, which will no longer refer to you, for statistical purposes without time limits, to the extent that we have a legitimate and lawful interest in doing so.

## 8. INTERNATIONAL TRANSFER OF PERSONAL DATA

We may transfer your personal information to a third party in countries outside the country in which it was originally collected for further processing in accordance with the purposes set out above. In these circumstances we will, as required by applicable law, ensure that your privacy rights are adequately protected by appropriate technical, organisational, contractual or other lawful means.

## 9. THIRD PARTIES PERSONAL INFORMATION

Where you submit information on behalf of another person, you confirm that you have made that person aware of how we may collect, use and disclose their information, the reason you have

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provided it, how they can contact us, the terms of this privacy policy and that they have consented to such collection, use and disclosure.

## **10. DATA SUBJECT RIGHTS**

Data protection law provides data subjects with numerous rights, including the right to: access, rectify, erase, restrict, transport, and object to the processing of, their personal information. Data subjects also have the right to lodge a complaint with the relevant data protection authority if they believe that their personal information is not being processed in accordance with applicable data protection law. More information on specific rights is set out below.

### **10.1 Right to make a subject access request (SAR).**

Data subjects may, where permitted by applicable law, request copies of their personal information (by way of a SAR). If you would like to make a SAR, i.e. a request for copies of the personal information we hold about you, you may do so by writing to our Compliance department ([compliance@kasl.co.uk](mailto:compliance@kasl.co.uk)). The request should make clear that a SAR is being made. You may also be required to submit a proof of your identity and a fee (if your request may reasonably be considered to be unfounded, excessive or repetitive).

### **10.2 Right to rectification**

You may request that we rectify any inaccurate and/or complete any incomplete personal information.

### **10.3 Right to withdraw consent**

You may, as permitted by applicable law, withdraw your consent to the processing of your personal information at any time. Such withdrawal will not affect the lawfulness of processing based on your previous consent or processing based on other permitted grounds (e.g. our regulatory obligations or legitimate interests). Please note that if you withdraw your consent, you may not be able to benefit from certain service features for which the processing of your personal information is essential.

### **10.4 Right to object to processing**

You may, as permitted by applicable law, request that we stop processing your personal information

### **10.5 Right to erasure**

You may request that we erase your personal information and we will comply, unless there is a lawful reason for not doing so. For example, there may be an overriding legitimate ground for keeping your personal information (e.g. if retention is necessary for us to comply with our legal and regulatory obligations).

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## 10.6 Your right to lodge a complaint with the supervisory authority

We suggest that you contact us in the first instance if you have any questions or if you have a complaint in relation to how we process your personal information. However, you do have the right to contact the relevant supervisory authority directly. To contact the Information Commissioner's Office in the United Kingdom, please visit the ICO website for instructions at [www.ico.org.uk](http://www.ico.org.uk).