

Data Protection Policy

1. Introduction

- 1.1. Fox-Davies Capital Limited ("FDC" "we" "our" or "us") is a private limited company incorporated in England and Wales (Company Number 10165213), having its registered office at 5 Technology Park, Colindeep Lane, Colindale, London, United Kingdom, NW9 6BX. FDC is authorised and regulated by the Financial Conduct Authority ("FCA") of the United Kingdom, which is at 12 Endeavour Square, London, E20 1JN. Our FCA firm reference number is 809084, and we are on the Financial Services Register, which can be reviewed by visiting the FCA's website at www.fca.org.uk or by contacting the FCA on 0800 111 6768. We are also a member of the London Stock Exchange.
- 1.2. You can contact us by phone on 020 3884 8450 or email us at info@fox-davies.com.
- 1.3. FDC has developed policies, procedures, controls and measures to ensure maximum and continued compliance with the data protection laws and principles, including staff training, procedure documents, and ongoing monitoring and assessments. Ensuring and maintaining the security and confidentiality of personal and/or special category data is one of our top priorities and we are proud to operate a 'Privacy by Design' approach, assessing changes and their impact from the start and designing systems and processes to protect personal information at the core of our business.
- 1.4. This Data Protection Policy (the "Policy") is designed to help you understand what kind of information we collect in connection with our products and services and how we will process and use this information. In the course of providing you with products and services we will collect and process information that is commonly known as personal data.
- 1.5. This Policy describes how we collect, use, share, retain and safeguard personal data.
- 1.6. This Policy sets out your individual rights and we explain these later in the Policy but in summary these rights include your right to know what data is held about you, how this data is processed and how you can place restrictions on the use of your data.
- 1.7. FDC is registered with The Information Commissioners Office ("ICO") which is an independent regulatory office who reports directly to Parliament and whose role it is to uphold information rights in the public interest.
- 1.8. FDC appears on the Data Protection Register as a controller of personal information with ICO Registration number ZB062047.

2. Personal Data Overview

- 2.1. Personal data is information relating to an identified or identifiable natural person. We may collect, use, store and transfer personal data that can be grouped as follows:
 - (a) **Identity** – individual's names, usernames, date of birth, gender
 - (b) **Contact Information** – postal and e mail addresses, telephone numbers

- (c) **Financial Information** – personal assets and liabilities, income and expenditure and other information required to service accounts, in particular those categorised as advisory or discretionary managed
 - (d) **Activity** – details of trading activity together with any payments or receipts
 - (e) **Usage** – information about the use of our website, products and services
 - (f) **Marketing and Communications** – your preferences where you request information about our services, customer events, promotions and campaigns
- 2.2. We do not generally collect personal data that may contain information which is known as special categories of personal data. This may be information relating to an individual’s health, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic and biometric data, or data relating to sexual orientation.
- 2.3. Furthermore we do not generally collect personal data that contains data relating to criminal convictions and offences. We are however required to verify that parties with whom we deal are not subject to official sanctions.
3. Personal Data Collected by Us
- 3.1. In order for us to provide you with investment services and to administer your investments we will collect and process personal data about you.
- 3.2. We may also need to collect personal data relating to others when providing you with our products, services and administering your investments. In most circumstances, you will provide us with this information. Where you disclose the personal data of others, you must ensure you are entitled to do so.
- 3.3. You may provide us with personal data when signing up to our services, through application forms, when completing contact forms, when you contact us via the telephone, when writing to us directly or when we complete forms in conjunction with you.
- 3.4. We will share your personal data within our firm and with business partners. This is normal practice within our industry where it is necessary to share information to manage and administer your investments and administer our business.
- 3.5. We also share personal data with authorised third parties. This is necessary where we are required to do so by law, where we need to administer our business and to manage your investments. Some example third parties follow:
- Service providers based in the UK, other EEA countries and the USA who provide us and you with settlement and custody services
 - Regulators, HM Revenue & Customs and other authorities acting as controllers in the UK, other EEA countries or USA who may require reporting in certain circumstances
 - Credit reference, fraud prevention and anti-money laundering agencies;
 - Professional advisers acting as processors or controllers including banks, auditors, insurers and lawyers

- 3.6. We will collect your personal data when you visit our website, where we will collect your unique online electronic identifier; this is commonly known as an IP address.
- 3.7. We will also collect electronic personal data when you first visit our website where we will place a small text file that is commonly known as a cookie on your computer. Cookies are used to identify visitors, to simplify accessibility and to monitor visitor behaviour when viewing website content, navigating our website and when using features.
- 3.8. We will record your communications with us when you contact our staff in connection with customer focused services or if you wish to make a complaint.
- 3.9. Where we collect data directly from you, we are considered to be the controller of that data i.e. we are the data controller. Where we use third parties to process your data, these parties are known as processors of your personal data. Where there are other parties involved in managing your investment, if they referred you to us, we will be a joint data controller of your personal data.
- 3.10. A data 'controller' means the individual or organisation which, alone or jointly with others, determines the purposes and means of the processing of personal data.
- 3.11. A data 'processor' means the individual or organisation which processes personal data on behalf of the controller.
- 3.12. If you object to the collection, sharing and use of your personal data we may be unable to provide you with our products and services.
- 3.13. For the purposes of meeting the Data Protection Act 2018 territorial scope requirements, the United Kingdom is identified as the named territory where the processing of personal data takes place.
- 3.14. If you require more information on our activities or further details on how we collect personal data and with whom we share data with, please contact our Data Privacy Representative by emailing compliance@fox-davies.com.
4. The Need for your Personal Data
 - 4.1. We will use your personal data for the performance of our contract with you, to provide you with investment products and services, to administer your investments and our business, to respond to any requests from you about services we provide and to process complaints. We will also use your personal data to manage your account, perform statistical analysis on the data we collect, for financial planning and business forecasting purposes and to develop new and market existing products and services.
 - 4.2. In purchasing our products and services you should understand that you are forming a contract with us. If you contact us for a quote or request details on the services we provide, we consider ourselves as having a legitimate business interest to provide you with further information about our services.
 - 4.3. In some situations we may request your consent to market our products and services to you, to share your data or to transfer your data outside the European Economic Area. Where we require consent, your rights and what you are consenting to will be clearly communicated to you. Where

you provide consent, you can withdraw this at any time by contacting our data privacy representative.

- 4.4. In some situations, we may request your explicit consent to process special category or criminal conviction data in order to provide our services. Where we require explicit consent for the processing of this data, your rights and what you are consenting to will be clearly communicated to you. Where you provide consent, you can withdraw this at any time by contacting our data privacy representative.

5. Data Retention Period

- 5.1. We will retain your personal data for as long as is required or permitted in the context of the purposes for which it was obtained. In particular we will hold such data for a period of 7 years at the end of any contractual agreement.
- 5.2. The retaining of data is necessary where required for contractual, legal or regulatory purposes or for our legitimate business interests for statistical analysis (profiling) and product development and marketing purposes.
- 5.3. Sometimes we may need to retain your data for longer, for example if we are representing you or defending ourselves in a legal dispute or as required by law or where evidence exists that a future complaint may occur.
- 5.4. Where you or law enforcement agencies inform us on any active investigation or potential criminal prosecution, we will comply with legal requirements when retaining this data.
- 5.5. You should be aware that we use automated decision making (services/tools and techniques) to check for customer suitability to our products, such as a credit search to check an individual's address. We also analyse data to identify products and services that customers may be interested in, this is commonly known as profiling. You have the right to object to the use of profiling activities and the use of automated decision making services/tools and techniques.
- 5.6. Please contact our data privacy representative if you object to the use of, or you have any questions relating to the use of, your data, the retention of your personal data or the use of profiling and automated decision making services/tools and techniques.
- 5.7. You can opt out of receiving marketing services by emailing: compliance@fox-davies.com.

6. International Transfers of Personal Data

- 6.1. We may transfer your data to third parties based outside the European Economic Area. This is necessary for the purposes of administering our business and managing your investments. Such parties are not permitted to use your personal data for any other purpose than for what has been agreed with us. These parties are also required to safeguard your personal data through the use of appropriate technical and organisational data security measures and are prohibited from disclosing or sharing your data with other third parties without our prior authorisation, or unless as required by law.

6.2. Please contact our data privacy representative for a list of countries and organisations your personal data is transferred to and/or for further information on the measures undertaken to safeguard your data.

7. Rights of Data Subjects

7.1. Individuals are provided with legal rights governing the use of their personal data. These grant individuals the right to understand what personal data relating to them is held, for what purpose, how it is collected and used, with whom it is shared, where it is located, to object to its processing, to have the data corrected if inaccurate, to take copies of the data and to place restrictions on its processing. Individuals can also request the deletion of their personal data.

7.2. These rights are known as Individual Rights under the Data Protection Act 2018. The following list details these rights:

- The right to be informed about the personal data being processed;
- The **right of access** to your personal data;
- The **right to object** to the processing of your personal data;
- The **right to restrict the processing** of your personal data;
- The **right to rectification** of your personal data;
- The **right to erasure** of your personal data;
- The **right to data portability** (to receive an electronic copy of your personal data);
- **Rights relating to automated decision-making** including profiling.

7.3. Individuals can exercise their Individual Rights at any time. As mandated by law we will not charge a fee to process these requests, however if your request is considered to be repetitive, wholly unfounded and/or excessive, we are entitled to charge a reasonable administration fee.

7.4. In exercising your Individual Rights, you should understand that in some situations we may be unable to fully meet your request such as where you make a request for us to delete all your personal data but we may be required to retain some data for taxation, prevention of crime and for regulatory and other statutory purposes.

7.5. You should understand that when exercising your rights that a substantial public or vital interest may take precedent over any request you make. In addition where these interests apply, we are required by law to grant access to this data for law enforcement, legal and/or health related matters.

7.6. The flow of data within the financial services sector is complex and we ask you to keep this in mind when exercising your 'rights of access' to your information. Where we may be reliant on other organisations to help satisfy your request this may impact on timescales.

8. Data Protection

8.1. We will take all appropriate technical and organisational steps to protect the confidentiality, integrity, availability and authenticity of your data, including when sharing your data within our group of companies and authorised third parties.

9. Complaints

9.1. If you are dissatisfied with any aspect of the way in which we process your personal data please contact the Data Privacy Representative. You also have the right to complain to the ICO, the UK's data protection supervisory authority. The ICO may be contacted via its website which is <https://ico.org.uk/concerns/>, by live chat or by calling their helpline on 0303 123 1113.

10. Contact

10.1. If you have any questions regarding this Policy, the use of your data and your Individual Rights please contact our Data Privacy Representative at:

E mail: compliance@fox-davies.com

Telephone: 020 3884 8450