

## Introduction

This privacy notice (together with our terms of business and any other documents referred to on it) explains how Tacit Investment Management ('Tacit', 'we', 'our', 'us') collects, uses and shares personal data, provided to us by our prospective, present and past clients ("I", "you", "your"), and your rights in relation to the data we hold.

If you provide us with personal information relating to another individual, for example when making an application for a joint account or whilst providing information relating to your business partner or any other third party, you must also show them a copy of this privacy notice to ensure that they know what we are doing with their personal information.

## Who we are and what we do

Tacit Investment Management ("Tacit") is a trading name of TIML Limited and is a wholly owned subsidiary of the Tacit Holdings Limited (the "Tacit Group"). Tacit is established in the United Kingdom and is the principal Investment Management business of the Tacit Group. We work closely with members of the Tacit Group and its key partners to provide a range of financial products and services in the United Kingdom.

We are authorised and regulated by the Financial Conduct Authority, and we are registered in England & Wales at 17 Hanover Square, London, W1S 1BN. Registered in England and Wales No. 09228395

We are a Controller of personal information under data protection legislation and is registered with the Information Commissioner's Office. We also undertake some processing activities on behalf of the Tacit Group and when it does this it is a Processor.

## How do we gather and use your personal information?

To provide our services, we will ask you to provide us with detailed information relating to your existing circumstances, your financial situation and, in some cases, your health and family health history (your "personal data").

We will collect and record your personal data from a variety of sources, but mainly directly from you, beginning with any interactions we have before you become a client. You will usually provide information during any initial meetings or conversations we have with you to establish your circumstances, needs and preferences in relation to our services. We collect and record personal data from you;

- ▶ when you communicate with us over the phone, by letter, via email or any of our websites.
- ▶ from information you provide to us when you interact with us before becoming a client.
- ▶ when you ask us to provide services to you and subsequently provide us with the necessary information.
- ▶ where you provide us with personal data relating to others (e.g. your family members), we understand that you either have their consent or are entitled to provide this information to us for subsequent use; and
- ▶ in the other ways you interact with us during your time with us, for some of the reasons set out in this notice.
- ▶ from our use of technology solutions and third parties used in the collection of your personal data, for example when we carry out our routine credit and identity checks on you before we can accept you as a client.

We will record communications as evidence of your instruction, compliance with our regulatory and legal obligations.

## What information do we collect about you?

We collect the following types of personal data which may directly or indirectly identify you:

- ▶ your name, and contact information such as address, email address and telephone number(s).

- ▶ your date of birth, national insurance number (or other tax identification number) and due diligence information.
- ▶ any other information that could be associated with your cultural or social identity.
- ▶ your employment situation and history, including proof of income, remuneration information, (including salary and bonus schemes, overtime, sick pay, other benefits, and other sources of wealth.
- ▶ financial information such as bank account details, tax information, loans and credit commitments, personal credit history, sources of income and expenditure, family circumstances and details of dependents
- ▶ Details of any pre-existing investment management services or financial products, terms of finance and mortgage arrangements, or insurance products.

We may need to gather personal information about your close family members and dependants. If you have parental responsibility for children under the age of 13, it is also very likely that we will record information on our systems that relates to those children and potentially it will be your responsibility to ensure that you have the consent of any connected people concerned, to pass their information on to us. We will provide a copy of this privacy notice for them or, where appropriate, ask you to pass the privacy information to them.

If you do not provide personal data that we tell you is mandatory (that is, which you must provide), it may mean that we cannot provide you with the service you want or meet all our obligations to you.

We may also collect more sensitive personal data ("Special Data") about you such as information concerning your health, any medical conditions, your ethnic origin and information relating to historic or current criminal convictions or offences (together 'Criminal Disclosures') to ensure we can recommend suitable service(s) for you and continue to tailor them to meet your financial objectives.

We will ensure you are provided with clear information as to why this information is required and the purposes for which it will be used and we will use Special Data and any Criminal Disclosures in the same way as your personal data generally, as set out in this Privacy Notice. For example, we may collect information concerning your health and medical conditions so that we can recommend suitable service(s) for you and continue to tailor them to meet your financial objectives (e.g. life insurance, pensions, sickness etc.). We do need your explicit consent to collect and process your health details, which of course you may withdraw at any time.

## The basis upon which we use your personal information

**Performing a contract:** When we speak with you about your requirements, we do so on the basis that both parties are entering into a contract for the delivery of our services. The information that we collect about you is essential for us to be able to carry out the services that you require from us effectively, or to engage with you at the enquiry stage before you become a client. The primary legal basis that we intend to use for the processing of your data is for the performance of our contract with you.

**Legitimate Interests:** We may process your personal data because it is necessary for our legitimate interests, or those of a third party, including our commercial interests in operating our business, in accordance with all applicable legal and regulatory requirements. Such interests may include but are not limited to monitoring our performance and training our staff, outsourcing administration, and custody services; restructuring our business, negotiating joint ventures or other commercial initiatives; or taking legal advice for the benefit of company.

**Regulatory and Legal obligations:** On occasion, we will use your personal data for responsibilities we may owe our regulator, The Financial Conduct Authority, or for wider compliance with any legal or regulatory obligation to which we might be subject. This may include but is not limited to conducting background checks to confirm your identity, requirements to report to tax authorities, to assist with criminal investigations, or to meet our compliance and regulatory obligations.

**Other purposes:** In other exceptional circumstances, we may process your personal data where it is necessary to protect your or another person's vital interests, or it is necessary to establish, exercise or defend a legal claim, or we have your explicit consent to do so.

## What happens to your personal information

While handling Your personal data, we will:

- ▶ Record and store Your personal data in our paper files, mobile devices and on our computer systems (websites, email, hard drives, and cloud facilities). This information can only be accessed by employees and consultants 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 3<sup>rd</sup>-Party Providers 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 lenders and providers may raise.
- ▶ Use your personal data for the purposes of informing and updating you on developments or responding to any queries you may have in relation to any of our services, or policies of which we might become aware.

## Sharing your personal data

Your personal data will only be shared for the purposes set out in this Customer Privacy Notice. We are owned by Tacit Holdings Limited, so we may work closely with other businesses and companies in the Tacit Group of companies. We may share certain information with other Tacit Group companies (for example to provide you with products or services, for marketing purposes, for internal reporting and where those companies provide services to us).

To deliver our services to you we may share your personal data with third parties (who also must keep it secure and confidential):

- ▶ In the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets.
- ▶ If we or substantially all of our assets are acquired by a third party, in which case personal data held by us and you as our will be one of the transferred assets.
- ▶ Our appointed auditors, accountants, lawyers and other professional advisers (e.g. compliance consultants), to the extent that they require access to the information to advise us.
- ▶ Fraud prevention agencies and other organisations (details of which are available on request) to allow us to undertake the checks.
- ▶ If we are under a duty to disclose or share your personal data to comply with any legal obligation, or to enforce or apply our Terms and other agreements; or to protect the rights, property, or safety of Tacit, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.
- ▶ For the provision of services to you.

Where third parties are involved in processing your data, we will use appropriate security measures to protect your personal data in transit and have a contract in place with them to ensure that the nature and purpose of the processing is clear, that they are subject to a duty of confidence in processing your data and that they'll only act in accordance with our written instructions. Please note that this sharing of Your personal data does not entitle such third parties to send you marketing or promotional messages, it is shared to ensure we can adequately fulfil our responsibilities to you, and as otherwise set out in this Privacy Notice.

If you have a relationship with other professional advisers, such as an independent financial adviser, accountant, solicitor/ lawyer who you have authorised to represent you, or any other person you have told us is authorised to give instructions, or use our products and services on your behalf (such as under power of attorney) or your investments held in a structure where a trustee is the legal owner and operator of the account, we may share your personal data to enable us to provide the services you have asked us to provide.

## Transferring Your personal data outside the UK/EEA

We may use certain third-party providers which have operations located outside the UK/EEA. If data is transferred outside the UK/ EEA whether the transfer is made based on an adequacy decision by the European Commission under Article 45 of the UK GDPR. Therefore, your personal data may be transmitted to and processed outside the European Economic Area (EEA) in countries that do not provide the same level of data protection as the UK.

Where we do so, we will put appropriate measures in place to ensure the adequate protection of your data when it is transferred outside the EEA and will endeavour to ensure that any such contractual arrangements comply with the standards required by the UK Information Commissioner.

## 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.

Your personal data will be retained by us either electronically or in paper form for a minimum period of 6 years following the advice/service you receive from us, although your data could be held for a longer period where this may be needed to meet the requirements of our regulatory bodies and we reserve the right to retain data for longer where we believe it is in our legitimate interests to do so.

## Your rights in relation to your data

Under data protection law, you have the following rights.

- ▶ Access to the personal data we hold about you.
- ▶ Request that we cease processing your data.
- ▶ Request that we do not to send you marketing communications.
- ▶ Request that we correct the data we hold about you if it is incorrect.
- ▶ Request that we erase your data.
- ▶ Request that we restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal).
- ▶ Request to receive from us the data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller.
- ▶ Request that we comply with your objection, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

Please note that the above rights are not absolute, and we may be entitled to refuse requests subject to the restrictions of our regulatory obligations and legitimate interests as noted above.

## Cookies and other websites

By using our website, the online service or any other online facility or service provided by us, you acknowledge that we may:

- ▶ collect information about your computer or device (for example your IP address, operating system and browser type) for security purposes and to administer and monitor our online services; and/or
- ▶ use cookies and similar technologies for security purposes, and where this is essential to provide you with services you have requested; and to monitor and personalise our online services.

For further information visit <http://www.allaboutcookies.org/>

You can set your browser not to accept cookies and the above website tells you how to remove cookies from your browser. However, in a few cases some of our website features may not function as a result. Our website may contain links to other websites. This privacy policy only applies to our website so when you link to other websites you should read their own privacy policies.

## Marketing

Whilst providing our services to you we may be in contact with you about products and services that are made available to us from time to time that we think may be of interest to you in the future. This promotional information may be sent to you through a variety of electronic means, including potentially by telephone, email, SMS, and instant messaging services (collectively referred to as 'E-Marketing').

We would like to take particular care to ensure that any marketing or promotional information that we may send to you, is done so with your prior, express permission. We propose to do this by any of the E-Marketing means, using contact information you have provided to us.

You have the right to ask us not to contact you for marketing purposes at any time. Opting Out means that we will either remove Your data from our marketing database or limit our contact with you to the means you specify (for example, by email only), but we reserve the right to retain it for any other purpose explained in this document. If you wish to opt-out and no longer wish to be contacted for marketing purposes, please contact us by email at [client.admin@tacitim.com](mailto:client.admin@tacitim.com) or write to us at Client Support Team, Tacit Investment Management, 17 Hanover Square, London, W1S 1BN.

## Changes to our privacy policy

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information. If changes to this privacy notice will have a major effect on what we do with your personal data or on you personally, we will give you enough notice to allow you to exercise your rights (for example, to object to the processing).

## Contact us

If you have any questions about this document, how we process your data, wish to exercise any of your rights or make a complaint about the way we processed your data, please contact our Client Support Team by emailing [client.admin@tacitim.com](mailto:client.admin@tacitim.com) or write to our registered office: Client Support Team, Tacit Investment Management, 14 Hanover Square, London, W1S 1HN.

You can also find out more about your rights under data protection legislation from the Information Commissioner's Office website available at: [www.ico.org.uk](http://www.ico.org.uk).

## Declaration and Marketing Consent

We would like to maintain a record of your acknowledgement, understanding and express consent for us to contact you for marketing of our products or services that we think may be of interest to you.

If you do not indicate your agreement for us to contact you, we may be unable to provide you with details of products and/or services that may suit your needs and circumstances. Please indicate your consent to us contacting you by any of the means specified below

### Declaration

- ▶ I/we have read and understood the provisions set out in this document.
- ▶ Where my/our personal information is "Special Data" or is a "Criminal Disclosure", I/we consent to Tacit and the Tacit Group collecting and processing it in accordance with the provisions above.
- ▶ I/we hereby grant Tacit and the Tacit Group permission to process my personal data for the purpose of marketing regarding products and services that may be of interest by any means of communication indicated below that is suitable at the time.

Signature

Print Name

Date

Post

Phone

Email

SMS / Instant  
Messaging

Signature

Print Name

Date

Post

Phone

Email

SMS / Instant  
Messaging