

## DATA PRIVACY NOTICE

### Introduction

AFH Financial Group Plc takes your privacy very seriously and we ask that you read this privacy notice carefully as it contains important information on how and why we collect, store, use and share personal data, your rights in relation to your personal data and on how to contact supervisory authorities in the event you have a complaint.

The AFH Group collects, uses and is responsible for certain personal data about you. When we do so we are required to comply with data protection regulation and we are responsible as a data controller of that personal data for the purposes of those laws.

### The personal data we collect and use

In the course of providing our service to you we may collect the following personal data when you provide it to us:

- contact information
- identity information
- financial information
- employment status
- health information
- data about criminal convictions or offences
- details of any vulnerability

### How we use your personal data

The below table sets out how we use your personal data. In each of these instances we have determined that consent and legitimate interest form the lawful basis of collecting and using personal data.

Rationale/Reason for Processing	Lawful Basis for Processing
<ul style="list-style-type: none"> <li>• Recruitment and selection, including:               <ul style="list-style-type: none"> <li>○ Applications</li> <li>○ Pre-employment vetting (Criminal record checks, financial checks, Right to Work checks, referencing)</li> </ul> <p><i>Please note that some of the above processing activities may only apply to individuals operating in a regulated position</i></p> </li> </ul>	<ul style="list-style-type: none"> <li>• Consent/Legitimate Interests</li> </ul>
<ul style="list-style-type: none"> <li>• Monitoring:               <ul style="list-style-type: none"> <li>○ To verify your identity</li> <li>○ To verify that there have been no changes to your Fit &amp; Proper status, if operating in a regulated capacity</li> <li>○ The use of call recording software</li> <li>○ Monitoring of electronic communications</li> <li>○ The use of video recording equipment/CCTV</li> <li>○ Monitoring through information from third parties, such as credit reference agencies or the Disclosure Barring Service, if operating in a regulated capacity</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Legitimate Interests</li> </ul>
<ul style="list-style-type: none"> <li>• Retaining employment records, including:               <ul style="list-style-type: none"> <li>○ Records of absence from work</li> <li>○ Applications and referencing information</li> <li>○ Information relating to pension and insurance schemes</li> <li>○ Equal Opportunities disclosures</li> <li>○ Health Questionnaires</li> <li>○ Fraud detection information</li> <li>○ Discipline, grievance and dismissal information</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Legitimate Interests</li> </ul>
<ul style="list-style-type: none"> <li>• Marketing:</li> <li>• Should the firm intend to use your personal information to deliver advertising or marketing messages to you</li> </ul>	<ul style="list-style-type: none"> <li>• Consent</li> </ul>

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| <ul style="list-style-type: none"> <li>• Providing you with an opt-out opportunity should you not wish for the firm to contact you regarding advertising or marketing</li> </ul> |  |
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### **Special category data**

Certain types of personal data are considered more sensitive and so are subject to additional levels of protection under data protection legislation. These are known as ‘special categories of data’ and include data concerning your health, racial or ethnic origin, genetic data and sexual orientation. Data relating to criminal convictions or offences is also subject to additional levels of protection.

### **Whether information must be provided by you, and if so why**

We will tell you if providing some personal data is optional, including if we ask for your consent to process it. In all other cases, you must provide your personal data for us to carry out our legal and regulatory obligations.

### **How long your personal data will be kept**

We will hold your personal data for differing periods of time depending upon the reason we have for processing it. These retention periods are set out below.

We will usually retain your information for a period of up to 9 years from the point at which AFH are no longer deemed to be your employer.

### **Your rights**

You have legal rights under data protection regulation in relation to your personal data. These are set out under the below headings:

- To access personal data
- To correct / erase personal data
- To restrict how we use personal data
- To object to how we use personal data
- To ask us to transfer personal data to another organisation
- To object to automated decisions
- To understand how we protect information transferred outside Europe
- To find out more about how we use personal data

We will always let you know if we think a response will take an extended period of time. To speed up our response, we may ask you to provide more detail about what you want to receive or are concerned about.

We may not always be able to fully address your request, for example if it would impact the duty of confidentiality we owe to others, or if we are otherwise legally entitled to deal with the request in a different way.

### **To access personal data**

You can ask us to confirm whether we have and are using your personal data. You can also ask to get a copy of your personal data from us and for information on how we process it.

### **To rectify / erase personal data**

You can ask that we rectify any information about you which is incorrect. We will be happy to rectify such information but would need to verify the accuracy of the information first.

You can ask that we erase your personal data if you think we no longer need to use it for the purpose we collected it from you.

You can also ask that we erase your personal data if you have either withdrawn your consent to us using your information (if we originally asked for your consent to use your information), or exercised your right to object to further legitimate use of your information, or where we have used it unlawfully or where we are subject to a legal obligation to erase your personal data.

We may not always be able to comply with your request, for example where we need to keep using your personal data in order to comply with our legal obligation or where we need to use your personal data to establish, exercise or defend legal claims.

### **To restrict our use of personal data**

You can ask that we restrict our use of your personal data in certain circumstances, for example

- where you think the information is inaccurate and we need to verify it;
- where our use of your personal data is not lawful, but you do not want us to erase it;
- where the information is no longer required for the purposes for which it was collected but we need it to establish, exercise or defend legal claims; or
- where you have objected to our use of your personal data, but we still need to verify if we have overriding grounds to use it.

We can continue to use your personal data following a request for restriction where we have your consent to use it; or we need to use it to establish, exercise or defend legal claims, or we need to use it to protect the rights of another individual or a company.

## **To object to use of personal data**

You can object to any use of your personal data which we have justified on the basis of our legitimate interest, if you believe your fundamental rights and freedoms to data protection outweigh our legitimate interest in using the information. If you raise an objection, we may continue to use the personal data if we can demonstrate that we have compelling legitimate interests to use the information.

## **To request a transfer of personal data**

You can ask us to provide your personal data to you in a structured, commonly used, machine-readable format, or you can ask to have it transferred directly to another data controller (e.g. another company).

You may only exercise this right where we use your personal data in order to perform a contract with you, or where we asked for your consent to use your personal data. This right does not apply to any personal data which we hold or process outside automated means.

## **To obtain a copy of our safety measures for transfers outside of Europe**

You can ask for a copy of, or reference to, the safeguards we have put in place when your personal data is transferred outside of the European Economic Area. We are not required to share details of these safeguards where sharing such details would affect our commercial position or create a security risk.

## **You can contact us for more information**

If you are not satisfied with the level of information provided in this privacy notice, you can ask us about what personal data we have about you, what we use your information for, who we disclose your information to, whether we transfer it abroad, how we protect it, how long we keep it for, what rights you have, how you can make a complaint, where we got your data from and whether we have carried out any automated decision making using your personal data.

If you would like to exercise any of the above rights, please:

- email our Data Protection Officer at: [privacy@afhgroup.com](mailto:privacy@afhgroup.com);
- let us have enough information to identify you, e.g. name, address, date of birth;
- let us know the information to which your request relates.

## **Keeping your personal data secure**

We have appropriate security measures in place to prevent personal data from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal

data to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

### **Our supervisory authority**

If you are not happy with the way we are handling your information, you have a right to lodge a complaint with the Information Commissioners Office. It has enforcement powers and can investigate compliance with data protection regulation ([www.ico.org.uk](http://www.ico.org.uk)).

We ask that you please attempt to resolve any issues with us before the ICO.

### **How to contact us**

Please contact our Data Protection Officer if you have any questions about this privacy notice or the information we hold about you.

If you wish to contact our Data Protection Officer, please send an email to [privacy@afhgroup.com](mailto:privacy@afhgroup.com)