



## Data Protection Policy

### **The purpose of this Policy.**

When we provide our services to you, we will collect personal information about you, and others, and we want to be open and transparent with you as to the types of information we collect about you, why we collect it, how we use it and who we may share it with.

The data controller of your personal information is Castle Estate Solutions ("CES") which is a trading division of Castle Tower Consulting Ltd (Company Number 13176955) Registered Office: 86-90 Paul Street, London, England, United Kingdom, EC2A 4NE. The terms "**we**", or "**us**", or "**our**" refer to CES.

If you have any questions or concerns about our use of your personal information, then please contact us using the contact details provided at the bottom of this Notice in the 'How to contact us' section.

### **What type of personal information will be processed and why?**

We may ask you to provide personal information by filling in hard copy forms and documents or by corresponding with us by phone, e-mail, letter or otherwise or during the course of our meetings with you.

<b>Types of personal information</b>	<b>Why we collect it</b>
Identity details including your name and date of birth.  We may ask for copies of identity documents in which case we may collect details including your place of birth and residential address.	<ul style="list-style-type: none"><li>• To carry out anti money laundering and financial checks, as necessary, and for fraud and crime prevention and detection purposes.</li><li>• We will only ever use copies of identity documents for this purpose.</li><li>• We collect and process this personal information in order to comply with legal requirements.</li></ul>
Your contact details including your name, postal, phone and email address(es) and other personal details about you including your title, job title, marital status and date of birth.	<ul style="list-style-type: none"><li>• To contact you in order for us to manage, administer and provide our services to you.</li><li>• To respond to any correspondence and service-related enquiries you send to us in respect of our services.</li><li>• To discuss products or services for which you apply or may be interested in applying for.</li><li>• To manage any applications you make for products or services.</li><li>• To communicate any updates to you including any changes to our services, the terms and conditions of any services which we have provided to you, any changes to this Notice and to our websites.</li><li>• To contact you in order to receive your feedback on our services and to participate in related surveys.</li></ul>
Financial information relating to you, including pension contributions and current value, salary, bank account balances, credit card balances details of investments and payment card details.	<ul style="list-style-type: none"><li>• To evaluate the value of your estate and ensure that the disposal of all relevant assets are adequately addressed in your Will, Trust or other Provision.</li><li>• We collect and process this personal information for our legitimate business interests.</li><li>• To enable you to make payments for our services.</li><li>• We collect and process this personal information as is necessary for the entry into</li></ul>

	and performance of any agreements between us (i.e. to assess whether you are eligible for products, and once an agreement has been entered into between you and us, so that we can collect payments from your payment card).
Details of your dependents (name, address and date of birth)	<ul style="list-style-type: none"> <li>To enable us to provide you with services that you have requested that would involve, or have an impact on, your dependents (who may be adults or minors). Where those dependents are adults, please make sure that you have their permission to provide us with their personal information.</li> </ul>
Details of services you have received.	<ul style="list-style-type: none"> <li>To allow us to provide a professional service to you and to contact you with information about other services of ours that we think you may be interested in.</li> <li>We collect and process this personal information for our legitimate business interests.</li> </ul>
Client experience and other feedback and information you provide to us.	<ul style="list-style-type: none"> <li>To review your feedback and experience with us so that we can improve our products and services for you and for our other clients.</li> <li>We collect and process this personal information for our legitimate business interests (and we may record calls both for quality and training purposes and to comply with our legal obligations).</li> </ul>
Information about complaints and incidents.	
Recordings of calls we receive or make.	
All of the personal information described above.	<ul style="list-style-type: none"> <li>We may disclose your personal information to third parties where we are required to do so to comply with applicable laws and regulatory requirements including in circumstances where we are required to do so by a court Order, regulatory authority or any other third party with the lawful right to request and receive the personal information we hold about you (including law enforcement agencies and tax authorities).</li> <li>We may also use your personal information where it is necessary for us to take legal advice in order to establish our legal rights, to bring a claim against you or any related parties or to defend a claim from you or any related parties.</li> <li>We collect and process this personal information for our legitimate business interests including to carry out our own internal business planning, compliance, training, audit and quality assurance purposes.</li> </ul>

Depending upon the types of products and services you require, we may also need to collect information from and about you which the law considers to be sensitive, such as data about your physical or mental health, which we refer to as “special category personal data”. The special category personal data that we may ask you to provide, and the reasons why we ask you to provide it, are as follows:

Types of special category personal data	Why we collect it
Information about your physical or mental health or condition.	Certain products and services that you request may require this information; specifically, in order for us to arrange Wills, Trusts and Powers of Attorney, we must be satisfied that you have mental capacity. We will usually collect this information in the course of meetings with you, on specific questionnaires or in the process of completing an application form for such products and services.

We will only process the special category personal data listed above with your explicit consent. We ask for your consent to the processing of this data in our Client Agreement. You may choose not to provide us with this consent. However, please note that if you do not provide us with your consent to collect and process the information listed in the table above:

- we cannot arrange a Will for you because we must be convinced that you are of sound mind and have mental capacity to make a Will.
- your application for a product or service may be rejected by the providers of products and services which require this information; or

#### **When we record communications**

We, and persons acting on our behalf, may record and/or monitor communications (including telephone conversations over landlines and mobile phones, emails, instant messaging, chat rooms, fax and other electronic communications) between our staff and you. We may record communications between us in order to comply with any legal requirements.

We may also record and/or monitor communications for training and quality assurance purposes but will always ask for your consent before recording communications for these purposes. If you choose not to provide your consent in these circumstances, we will still be entitled to record and/or monitor communications if we are under a legal obligation to do so (but will only be able to use the recordings for those purposes).

#### **Who might my personal information be shared with?**

We may disclose your personal information to the following categories of recipients:

- to providers of products, e.g. Funeral Plan Providers and Equity Release Scheme Advisers, in respect of whom you request us to submit applications on your behalf and to receive updates from such providers in order for us to provide our services to you throughout the lifetime of our relationship with you;
- to our suppliers and partners in order for them to help us provide our services to you, this includes:
  - our IT systems providers to assist us with providing you with an efficient, modern and professional service;
  - our suppliers of audit and compliance support services who may review our records containing your personal information in order to audit and report to us on our compliance with applicable requirements;
  - our accountants, solicitors, insurer(s) and insurance broker(s) and any other provider of professional services to us;
  - professional Trustees and Trust and Foundation Corporations with whom we may be making arrangements for you;
  - The Office of the Public Guardian (“OPG”), HMRC and other government organisations as necessary to make arrangements for you, e.g. we must submit

documentation to the OPG in order to arrange a Lasting Power of Attorney for you.

- to other financial institutions or regulatory bodies with whom information is shared for money laundering checks, credit risk reduction and other fraud and crime prevention purposes;
- to a prospective buyer (and its agents and advisers) in the event we intend to sell any part of our business or its assets or if substantially all of our assets are acquired by a third party, in which case your personal information could form part of one of the assets we sell, provided that we inform the buyer it must use your personal information only for the purposes described in this document. We will never rent or sell your personal information other than as part of a sale of our business;
- to any national and/or international regulatory, enforcement body, government agency or court where we believe disclosure is necessary:
  - (i) as a matter of applicable law or regulation (including where we are required by law to provide information to organisations such as HMRC),
  - (ii) to exercise, establish or defend our legal rights, or
  - (iii) to protect your vital interests of those of any other person; and
- to any other person with your consent to the disclosure or where we are permitted to do so by law.

#### **Our legal basis for processing personal information.**

Our legal basis for collecting and using your personal information will depend on the personal information concerned and the specific context in which we collect it. In respect of the personal information and the purposes for which we may process your personal information which are set out in this document, we have confirmed the legal basis upon which we collect and process your personal information in the 'What type of personal information will be processed and why?' section above.

If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you or with your explicit consent, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible consequences if you do not provide your personal information).

Similarly, if we collect and use your personal information in reliance on our legitimate interests (or those of any third party), we will make clear to you at the relevant time what those legitimate interests are.

If you have questions about or need further information concerning the legal basis on which we collect and use your personal information, please contact us using the contact details provided under the "How to contact us" heading below.

#### **International Data Transfers**

Your personal information may be transferred to, and processed in, countries other than the country in which you are resident. These countries may have data protection laws that are different to the laws of your country (and, in some cases, may not be as protective). Specifically, our servers are located in the Republic of Ireland (which fully implements GDPR as an EU member state) and our website (and all associated data) is hosted in the United States of America.

However, we have taken appropriate safeguards to require that your personal information will remain protected in accordance with our own standards, this document and applicable law. These include confirmation that Wix and its affiliates, including DeviantArt Inc., participates in, and has certified its compliance with, the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework.

If you have asked us to arrange an Offshore Trust and/or Private Foundation, we will discuss the Data Protection situation of any jurisdiction involved on a case by case basis.

### **Your data protection rights.**

You have the following data protection rights:

- If you wish to access, correct, update or request deletion of your personal information, you can do so at any time by contacting us using the contact details provided under the *"How to contact us"* heading below.
- In addition, you can object to processing of your personal information, ask us to restrict processing of your personal information or request portability of your personal information. Again, you can exercise these rights by contacting us using the contact details provided under the *"How to contact us"* heading below.
- You have the right to opt-out of marketing communications we send you at any time. You can exercise this right by clicking on the "unsubscribe" or "opt-out" link in the marketing e-mails we send you. To opt-out of other forms of marketing (such as postal marketing or telemarketing), then please contact us using the contact details provided under the *"How to contact us"* heading below.
- Similarly, if we have collected and process your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent. For specific information about our processing of your sensitive category personal data with your consent, please see the *"Your consent to us processing your special category personal data"* heading below.
- You have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority. (Contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries (including the US and Canada) are available at [http://ec.europa.eu/justice/data-protection/article-29/structure/data-protection-authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/article-29/structure/data-protection-authorities/index_en.htm)).

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

### **Data Retention Policy.**

We retain personal information we collect from you where we have an ongoing legitimate need to do so, for example:

- to provide you with a product or service you have requested us to provide,
- to perform our contractual obligations to you;
- to comply with applicable legal, tax or accounting requirements;
- to defend or manage any claims or complaints between us, you and any relevant third party including taking legal advice in respect of such claims in order to establish, exercise or defend our legal rights or such claims. This would include complaints and claims which you may bring against us or which are submitted to a court, regulatory authority or ombudsman.

When we have no ongoing legitimate need to process your personal information, we will either delete or anonymise it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

### **Updates to this Notice.**

We may change or update this document in order to maintain our compliance with applicable law and regulation or following an update to our internal practices. When we update our Data Protection Policy, we will take appropriate measures to inform you, consistent with the significance of the changes we make.

### **Subject Access Requests (SAR).**

You have the right to ask an organisation whether or not they are using or storing your personal information. You can also ask them for copies of your personal information, verbally or in writing. This is called the right of access and is commonly known as making a subject access request or SAR.

You can make a subject access request to find out:

- what personal information an organisation holds about you;
- how they are using it;
- who they are sharing it with; and
- where they got your data from.

Please see the relevant pages of the ICO website for more information:

<https://ico.org.uk/your-data-matters/your-right-to-get-copies-of-your-data/>

### **How to contact us.**

If you would like to:

- contact us in relation to this document; or,
- you have any other questions in respect of our processing of your personal data; or,
- if you want to make a Subject Access Request (SAR);

please contact us by any of the following methods:

By email to: [info@castle-estate.co.uk](mailto:info@castle-estate.co.uk)

By using the Contact Form on the Website: [www.castle-estate.co.uk](http://www.castle-estate.co.uk)

By telephone: 01782 901121

By post to: Castle Tower Consulting Ltd, 86-90 Paul Street, London, EC2A 4NE.

### **Your consent to our recording and retaining your data.**

In order to provide services to you we need to record your consent to our processing of your data including your consent to our processing your special category personal data, for which we must ask your specific consent. We ask you to record your consent in our "Terms of Business & Client Agreement".

### **Communications about other products or services**

We would like to contact you from time to time with details of new products, services, promotions, and other information which may be of interest to you. This may include important notices about changes in the law and HMRC tax rates, thresholds, and bands, as well as details of new products, services, promotions, and other information which may be of interest to you from Castle Estate Solutions and/or other divisions of Castle Tower Consulting Ltd and its subsidiaries and affiliated firms. [Please note we DO NOT sell data to, or share data with, unaffiliated firms under any circumstances]

Please ensure that you give your specific consent to each communication method as applicable on the Client Agreement.

### **Your consent to us processing your special category personal data.**

As explained above, we can only process the special category personal data listed in the table on page 3 with your explicit consent. We ask for your explicit consent to the processing of this data below. You may choose not to provide us with this consent. However, please note that if you do not provide us with your explicit consent to process the special category personal data listed above, this may affect our ability to offer you our full range of services.

Please ensure that you give your specific consent to the processing of your special category personal data on the Client Agreement.