



## Privacy Statement

### Introduction

FML Financial Management Limited is committed to protecting and respecting your privacy. We wish to be transparent on how we process your data and show you that we are accountable with the GDPR in relation to not only processing your data but ensuring you understand your rights as a client.

It is the intention of this privacy statement to explain to you the information practices of FML Financial Management Limited in relation to the information we collect about you.

For the purposes of the GDPR the data controller is:

- Paul McNamara
- Contact details: [paul@fmlfinance.com](mailto:paul@fmlfinance.com) or 021-4369681
- When we refer to 'we' it is FML Financial Management Limited.

Please read this Statement carefully as this sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us.

### Who are we?

- FML Financial management Limited is regulated by The Central Bank of Ireland as an Insurance Intermediary under the European Communities (Insurance Mediation) Regulations 2005, as an Investment Business Firm and Investment Product Intermediary under the Investment Intermediaries Act 1995 (as amended), as a Mortgage Intermediary under the Consumer Credit Act 1995 and as a Mortgage Credit Intermediary under the European Union (Consumer Mortgage Credit Agreements) Regulations 2016.
- Our principal business is providing advice and arranging transactions on behalf of our clients in relation to Mortgages (Principal Residence, Residential Investment Properties and Commercial mortgages) and Life & Pension products, such as Investments (Personal & Corporate), Regular Savings, Deposits, Pensions (Personal, PRSAs, Director's, Group, Approved Retirement Funds and Self Directed) and Protection policies such as Life Cover, Critical Illness Cover, Cancer Cover, Inheritance cover (Section 72), Business Protection (Shareholder/Partnership & Keyman) and Income Protection.

Our GDPR Owner and data protection representative can be contacted directly here:

- Paul McNamara
- paul@fmlfinance.com
- 021-4369681

### **Purpose for processing your data**

In order to provide our clients with comprehensive financial advice, based on their individual personal and financial circumstances, it is necessary to collect and analyse personal data. We need this data to make recommendations that we feel are in your best interests. Some of this data will be shared with product providers for the purpose of establishing a contract on your behalf. By completing and signing a product provider's Proposal, Declaration & Consent form, you consent to the provision of your information to that provider.

**Personal Data:** This is the data that identifies you as a natural person ('data subject'); or can be used to identify or contact you and may include your name, address, telephone numbers, e-mail addresses, online identifier and date of birth or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

### **How we process your Data**

We consider any operation or set of operations which is performed on personal data or on sets of personal data, whether by automated means or not, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction as data processing.

We will process any Personal Data you provide to us for the following purposes:

- To provide advice and to put policies with product providers in place.
- To provide you with information about the products and services of FML Financial Management Limited.
- To contact you if required in connection with your account or enquiry and to respond to any communications you might send us.
- To process on-line application forms submitted to us for the purposes of providing financial products. Any applications submitted on-line or by e-mail will be subject to the same terms and conditions as those completed by hand in paper form including additional terms and conditions relating to money laundering and regulatory notices.

### **Profiling**

We consider any form of automated processing of personal data intended to evaluate certain personal aspects relating to a natural person, or to analyse or predict that person's performance at work, economic situation, location, health, personal preferences, reliability, or behavior as data profiling.

You as the data subject may object to profiling and a right to be informed about the existence of profiling, of measures based on profiling and the envisaged effects of profiling on the individual.

The main categories are

1. Risk profiling.
2. Profiling for marketing purposes.
3. Establishing affordability and providing quotations for financial services products.

#### Risk Profiling

To establish a customer's attitude to investment risk (relating to pensions and investments), FML Financial Management Limited uses automated risk assessment tools which calculate the customer's investment risk preference depending on how they answer a series of questions.

#### Profiling for marketing purposes

When we seek to contact you about other services, as outlined above we run automated queries on our computerised data base to establish the suitability of proposed products or services to your needs.

#### Establishing affordability and providing quotations for financial services products

In order to determine which product provider is most suitable for your financial needs, FML Financial Management Limited will utilise a multi provider quotation platform which requires your personalised data.

### **Security**

We take our responsibilities in relation to the security of your personal data very seriously. We have a Data Protection policy in place to oversee the effective, secure and compliant processing and storage of your personal data. Data is stored on secure servers hosted by our Internet Service Provider and Client Management System. The nature of the internet is such that we cannot guarantee or warrant the security of any information you transmit to us via the internet. No data transmission over the internet can be guaranteed to be 100% secure. However, we will take all reasonable steps (including appropriate technical and organisational measures) to protect your Personal Data and we will review these measures regularly.

### **Why we are processing your data? Our legal basis.**

In order for us to provide you with the financial advisory services we offer, FML Financial Management Limited will need to collect personal data to get to know your current personal and financial situation, to determine your financial needs, goals and priorities and to assist us in making personalised recommendations in accordance with your individual circumstances. Our reason (lawful reason) for processing your data under the GDPR is:

- **Legal basis** - FML Financial Management Limited needs to process your data as this is necessary in relation to a contract to which the individual has entered into or because the individual has

asked for something to be done so they can enter into a contract, such as a mortgage, pension, protection policy, savings or investment or bank deposit.

In any event, FML Financial Management Limited are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of your privacy. If you cannot or will not provide the data required, the consequences could be that the contract cannot be put in place and/or any recommendation given may be flawed.

### **How will FML Financial Management Limited use the personal data it collects about me?**

FML Financial Management Limited will process (collect, store and use) the information you provide in a manner compatible with the EU's General Data Protection Regulation (GDPR). We will endeavor to keep your information accurate and up to date, and not keep it for longer than is necessary.

### **Special Categories of personal data**

If we collect any special categories of personal data e.g. health, religious beliefs, racial, ethnic origin – (financial information is not classified as special categories of personal data) – We will obtain your explicit consent.

### **Who are we sharing your data with?**

We may pass your personal data on to third-party service providers contracted to FML Financial Management Limited in the course of dealing with you. Any third parties that we may share your data with are obliged to keep your details securely, and to use them only to fulfil the service they provide on your behalf. When they no longer need your data to fulfil this service, they will dispose of the details in line with FML Financial Management Limited's procedures.

If we wish to pass your sensitive personal data onto a third party we will only do so once we have obtained your explicit consent, unless we are legally required to do otherwise.

The third parties that we pass your personal data to are:

- Life Assurance Companies.
- Banks/Lenders.
- Investment Firms.
- Financial Planning Software Providers.

If we transfer personal data to a third party or outside the EU we as the data controller will ensure the recipient (processor or another controller) has provided the appropriate safeguards and on condition that enforceable data subject rights and effective legal remedies for you the data subject are available .

### **Data Subjects Rights:**

FML Financial Management Limited facilitates your rights in line with our data protection policy and the subject access request procedure. This is available on request.

## Your rights as a data subject

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- **Right of access** – you have the right to request a copy of the information that we hold about you.
- **Right of rectification** – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- **Right to be forgotten** – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- **Right to restriction of processing** – where certain conditions apply to have a right to restrict the processing.
- **Right of portability** – you have the right to have the data we hold about you transferred to another organisation.
- **Right to object** – you have the right to object to certain types of processing such as direct marketing.
- **Right to object to automated processing, including profiling**
- **Right to judicial review:** in the event that Organisation Name refuses your request under rights of access, we will provide you with a reason as to why.

All of the above requests will be forwarded on should there be a third party involved as we have indicated in the processing of your personal data.

## Additional information we are providing you with to ensure we are transparent and fair with our processing.

### Retention of your personal data.

Data will not be held for longer than is necessary for the purpose(s) for which they were obtained. FML Financial Management Limited will process personal data in accordance with our retention schedule. This retention schedule has been governed by our regulatory body, the Central bank of Ireland, and our internal governance.

### Complaints.

In the event that you wish to make a complaint about how your personal data is being processed by FML Financial Management Limited or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and FML Financial Management Limited's data protection representative and GDPR Owner.

### Failure to provide further information

If we are collecting your data for a contract and you cannot provide this data, the consequences of this could mean that the contract cannot be completed or the details are incorrect.

### **Additional Processing**

If we intend to further process your personal data for a purpose other than for which the data was collected, we will provide this information prior to processing this data.

### **Contact Us**

Your privacy is important to us. If you have any comments or questions regarding this statement, please contact us on 021-4369681 or [paul@fmlfinance.com](mailto:paul@fmlfinance.com).

### **Privacy policy statement changes**

FML Financial management Limited may change this privacy policy from time to time. When such a change is made, we will post a revised version online. Changes will be effective from the point at which they are posted. It is your responsibility to review this privacy policy periodically so you're aware of any changes. By using our services you agree to this privacy policy.

This privacy policy was last reviewed in May 2018

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