

# **Vasey & Harris Asset Management Limited**

## **Cookies and Data Protection Policy**

## Purpose

This Cookies and Data Protection policy aims to give you information on how your personal data is collected and processed by Vasey & Harris Asset Management Limited (“Vaha UK” or “we”, “us”, “our”), including any data you may provide through this website, make an enquiry about our products or services, sign-up to our market reports, when you purchase a product or service, or apply for jobs at Vaha UK.

It is important that you read this Data Protection policy together with our other policies or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you understand why and how we are using your personal data.

## Data controller

Vaha UK is the data controller and responsible for your personal data. This means that we decide how your personal data is processed and for what purposes. If you have any queries or complaints or to exercise your rights in the first instance, you can email [contact@vahauk.co.uk](mailto:contact@vahauk.co.uk).

## Changes to the Cookies and Data Protection Policy

The processing of personal data is governed by the General Data Protection Regulation 2016/679, Data Protection Act 2018 and other UK data protection laws (“UK Data Protection Legislation”). We may amend this Cookies and Data Protection Policy from time to time. Any changes we may make to our Cookies and Data Protection policy in the future will be posted on Vaha UK’s website. Please check back frequently to see any updates or changes to our Cookies and Data Protection policy. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us by contacting [contact@vahauk.co.uk](mailto:contact@vahauk.co.uk).

## How do we process your personal data

Vaha UK complies with its obligations under the UK Data Protection Legislation by:

- keeping personal data up to date
- by storing and destroying it securely
- by not collecting or retaining excessive amounts of data; and
- by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data

## The data we collect about you

### Personal Data

Personal data, or personal information, means any information about a natural person from which that person is or can be identified, directly or indirectly. It does not include data where the identity has been removed (anonymous data). Identification can be by the information alone or in conjunction with any other information that is in, or likely to come into, the data controller's possession.

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- Identity Data includes your first name, maiden name, last name, username or similar identifier, marital status, title, date of birth, gender and nationality.
- Contact Data includes postal address, email address and telephone numbers.
- Financial Data includes bank account and payment details.
- Transaction Data includes details about payments to and from you or the organisation you represent and other details of products and services you or the organisation you represent have received from us.
- Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- Profile Data includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- Usage Data includes information about how you use our website, products and services.
- Marketing and Communications Data includes your preferences in receiving marketing from us and your communication preferences.
- Contractual Data includes details about your products and benefits.
- Third Party Data includes information about the executor or power of attorney connected to your investment.

We may also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We may also collect, store and use the following Special Categories of Personal Data about you of more sensitive personal information

- information about your health, including any medical condition, health and sickness records; and
- information about criminal convictions and offences.

### **How we collect your personal data**

We use different methods to collect data from and about you, including through:

- Direct interactions. You (or someone acting on your behalf) may give us your personal data by providing business cards, filling in forms or by corresponding with us by post, phone, and email or otherwise.
- Automated technologies or interactions. As you interact with our website, we may automatically collect technical data such as IP address or browsing actions. We collect this data by using cookies.
- Third parties or publicly available sources. We may receive your personal data from various third parties including credit reference agencies; law enforcement and regulators; Internal Third Parties (refer to Glossary); introducing brokers and intermediaries.

### **How we use your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract, we are about to enter into or have entered into with you
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests
- Where we need to comply with a legal or regulatory obligation.

In particular:

- To conduct the Know Your Client (KYC) and client due diligence.
- To communicate with you and contract you and to provide you with products and services that you request from us or, where you have consented to be contracted, for products and services that we feel may be of interest to you.
- To manage and perform the products and services provided to you
- To keep you updated on changes to our services and relevant client matters
- To develop and test new products and features
- To diagnose or fix technical problems
- To perform our obligations arising from any contracts entered into between you and us.

Please refer the Glossary to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent (via opt-in) as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You can withdraw consent to marketing at any time by contacting our Compliance Team.

### **Purposes for Which We Will Use Your Personal Data**

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

We may process your personal data on more than one lawful ground depending on the specific purpose for which we are using your data. Please contact our Compliance Team if you need details about the specific lawful basis, we are relying on to process your personal data where more than one ground has been set out in the table below.

**Purpose/Activity****Type of data**

Lawful basis for processing including basis of legitimate interest  
On-boarding new clients

- Identity
- Contact
- Bank details
- Tax information
- Performance of a contract with you.
- Where we need to comply with a legal or regulatory obligation

Service related management, monitoring and reporting

- Identity
- Contact
- Financial
- Transaction
- Trading
- Performance of a contract with you
- Where necessary for our legitimate interests

Improving our products and services and exercising our legal rights and obligations

- Identity
- Contact
- Usage
- Technical
- Where it is necessary for our legitimate interests.
- Where we need to comply with a legal or regulatory obligation

Sharing news, events, activities and services

- Identity
- Contact

- Usage
- Technical
- Profile Data
- Where we obtained your explicit consent

## Recruitment

- Identity
- Contact
- Employment references
- Any other information provided to us by you in the Curriculum Vitae, Interview or Application
- Information about criminal convictions and offences.
- Where it is necessary for our legitimate interests.
- Where we need to comply with a legal or regulatory obligation
- Performance of a contract with you.

## Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You may receive marketing communications from us if you have requested information from us or engaged services with us and if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have opted-in receive that marketing.

## Opting-out

You can ask us to stop sending you marketing messages by sending email to us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, warranty registration, product/service experience or other transactions.

## Cookies

### Use of Cookies

Vaha UK website uses cookies on our website.

### What Are Cookies?

Cookies are text files containing small amounts of information which are downloaded to your device when you visit a website. Cookies are then sent back to the originating website on each

subsequent visit, or to another website that recognises that cookie. Cookies are useful because they allow a website to recognise a user's device.

Cookies do lots of different jobs, like letting you navigate between pages efficiently, remembering your preferences, and generally improve the user experience. They can also help to ensure that adverts you see online are more relevant to you and your interests.

### **Categories of cookie we use**

The categories of cookies we use are:

- 'Strictly necessary' Cookies These cookies are essential in order to enable you to move around the website and use its features, such as accessing secure areas of the website. This category cannot be disabled.
- 'Analytical' / 'Performance' Cookies These cookies collect information about how visitors use a website, for instance which pages visitors go to most often, and if they get error messages from web pages. These cookies do not collect information that identifies a visitor. All information these cookies collect is aggregated and therefore anonymous. It is only used to improve how a website works. By using our website, you agree that we can place these types of cookies on your device.
- 'Functionality' Cookies: these cookies allow the website to remember choices you make (such as your user name, language or the region you are in) and provide enhanced, more personal features. These cookies can also be used to remember changes you have made to text size, fonts and other parts of web pages that you can customise. They may also be used to provide services you have asked for. The information these cookies collect may be anonymised and they cannot track your browsing activity on other websites. By using our website, you agree that we can place these types of cookies on your device.

You can view and change your setting at any time. You can control how cookies are placed on your device from within your own browser and delete existing cookies from your browser. However, rejecting and/or deleting cookies may mean some sections of our site will not work properly.

### **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact our Compliance Team.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **Disclosures of your personal data**

We may have to share your personal data with the parties set out below for the purposes set out in the table above. This may include:

- Third Parties as set out in the Glossary.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this Cookies and Data Protection policy.
- Anybody authorised by you.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **International transfers**

We may be required to share your personal data within the Vaha Group and with international service providers. This will involve transferring your data outside the European Economic Area (EEA).

Whenever we transfer your personal data out of the EEA, we ensure certain degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers or data processor, we will use specific European Model Contract Clauses approved by the European Commission which give personal data the same protection it has within EEA

Please contact our Compliance Team (please see the contact details above) if you would like to receive further information on the specific mechanism used by us when transferring your personal data out of the EEA.

### **Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

### **Data retention**

How long we retain your personal information for

We will keep your personal information for as long as we have a relationship with you. Once our relationship with you has come to an end, we will retain your personal information for additional number of years that enables us to:

- maintain business records for analysis and/or audit purposes;
- meet our regulatory requirements;
- comply with record retention requirements under applicable law;
- defend or bring any existing or potential legal claims; and
- deal with any complaints regarding the services.

If there is any information that we are unable to delete entirely from our systems for technical issues, we will put in place appropriate measures to prevent any further processing or use of the information.

In some circumstances you can ask us to delete your data: see “Your Legal Rights” under Glossary below for further information.

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Failure to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with

products or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

### Timescales to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### Glossary

#### Lawful Basis

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

#### Third Parties

- Service providers acting as processors based inside or outside of EEA who provide Banking, IT, exchange access, exchanges clearing, communication recording and client identity verification, including PEP and Sanctions, services, services related to our website management, services related to software and business development.
- Professional advisers acting as processors including lawyers, bankers, auditors and insurers based inside or outside of EEA who provide recruitment, consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.

#### Your Legal Rights

You have the right to:

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Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

## Complaints

If you have a complaint about the way in which your personal data is being processed, please contact [contact@vahauk.co.uk](mailto:contact@vahauk.co.uk). In the event that you are not satisfied with our handling of your complaint, you have the right to report your concern to the Information Commissioner's Office (ICO) at [www.ico.org.uk](http://www.ico.org.uk).

## Legal Disclaimer

We may disclose your personally identifiable information as required by rules and regulations and if we believe that disclosure is necessary to protect our rights or to comply with other proceedings, court order, legal process served or pursuant to governmental, intergovernmental or other regulatory bodies. We are not liable for misuse or loss of personal information or otherwise on our website(s) that we do not have access to or control over. We will not be liable for unlawful or unauthorised use of your personal information due to misuse or misplacement of your passwords, negligent or malicious intervention or otherwise by you or due to your acts or omissions or a person authorised by you (whether or not that authorization is permitted by the terms of our legal relationship with you).