

## FRANK INVESTMENTS LIMITED INVESTOR PRIVACY NOTICE

### 1. About us and this privacy policy and our role

Frank Investments Limited (“we” or “us”) is an authorised and regulated provider of investment management services by the Financial Conduct Authority (‘FCA’).

In order to provide our services to you, the Investor, we will need to collect and process certain personal information about you. We will be a data controller in respect of any such personal information about you.

We are committed to protecting the privacy and security of your personal information, in accordance with the applicable data protection laws, including the General Data Protection Regulation (GDPR). This privacy policy describes how we collect and use personal information about you during and after our relationship with you.

This Privacy Policy is directed to individuals whose Personal Data we handle in the course of carrying on our commercial activities, whether they are our Clients or prospective Clients or their representatives, agents or appointees, or an employee, director, officer or representative of the other organisations with which we have a business relationship. This Privacy Policy is also directed to visitors to our websites.

### 2. What information do we collect?

#### **Personal information provided by you.**

This Privacy Policy concerns any information that we collect in the following ways:

(A) Information we receive through **Frank Investments Website**.

(B) Information we receive as a result of **Frank Investments Products and Services**.

We collect personal information about you (such as your name, date of birth, nationality, address, telephone number, email address, payment card details or bank account details and information about your investments, information about your tax residency, national insurance number, passport details, health or disability related information, occupation and source of wealth) when we receive your investment application form and/or instructions in respect of your investments.

We also collect personal information about you in the course of our relationship with you, for example when you or your financial adviser (if applicable) contacts us in connection with our services. We may monitor and record any such communications (such as telephone conversations and emails) for the purpose of our record-keeping and compliance obligations.

As part of our client take-on process, we are obliged by our regulator, the Financial Conduct Authority, to obtain sufficient 'suitability' information concerning your attitude to risk. This information may be obtained via a risk questionnaire which is part of our Account Opening Pack. This will analyse your knowledge and experience of investments; your financial situation, including your ability to bear losses; and your investment objectives including risk tolerance. Frank Investments does not make any automated decisions based upon the outcomes of the risk assessment.

### **Personal information provided by third parties.**

Occasionally we may receive information about you from other sources (such as credit reference agencies), which we will add to the information we already hold about you in order to help us comply with our regulatory obligations.

In certain circumstances, we may be required to carry out enhanced due diligence checks to comply with our obligations under the Money Laundering Regulations 2017. These enhanced checks may reveal information about criminal convictions or information about an individual's political opinions and associations and/or other sensitive personal data. We will only collect and process such information to the extent necessary to comply with our regulatory obligations and in accordance with the applicable data protection laws.

We may collect information from sources such as credit reference agencies; fraud prevention agencies; law enforcement agencies; public databases, registers and records such as Companies House and the FCA Register; and other publicly accessible sources, independent financial advisors (IFAs), other professional advisers, product providers, events organisers, and other agents and/or representatives, information obtained from sanctions checking and background screening providers.

### **3. Lawful basis and purposes of processing of your personal information**

We will only use your personal information when the law allows us to, i.e. when it is necessary to:

- perform our contractual obligations towards you;
- comply with our legal and regulatory obligations;
- pursue our legitimate interests (e.g. conducting our business in an efficient, compliant and profitable manner), and your interests and fundamental rights do not override these interests. It may also become necessary to process your personal data for legitimate interests of a third party, such as your financial adviser (if applicable).

### **We collect information about you so that we can:**

- identify you and manage the register of your investments;

- Manage your investments and effect transactions in connection with your investments;
- Monitor and analyse the conduct of your account;
- Assess any credit limit or make other credit decisions (as well as the interest rate, fees and other charges to be applied to your account);
- Carry out statistical and other analysis;
- Detect and prevent fraud;
- Conduct “know your customer” and anti-money laundering checks;
- Liaise with your financial adviser (if applicable), our appointed third-party clearing and executing broker (see the Investment Management Agreement for more details), our suppliers and group companies;
- Administer our Investment Management Agreement with you and with your fund adviser (if applicable), and our contract with our appointed custodian;
- Manage our relationship with you and your financial adviser (if applicable);
- Improve our services;
- Manage our business, including for accounting and auditing purposes;
- Conduct our regular group reporting activities on the performance of our company, in the context of a business reorganisation or group restructure;
- Maintain our IT systems and manage hosting of our data;
- Deal with legal disputes involving you, your financial adviser (if applicable) or our suppliers or other parties whom we engage in connection with our services to you; and
- Comply with our reporting obligations, which includes transaction reporting to the Financial Conduct Authority.

Some of the above grounds and purposes for processing will overlap and there may be several grounds which justify our use of your personal information.

We will only use your personal information 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 we need to use your personal information 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 information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

#### **4. Will we disclose your personal information to anyone?**

We will share your personal information with third parties such as:

- other companies within our group;
- our agents and service providers, which includes our accountants;
- our appointed clearing and executing broker and any depository, stock exchange, counterparties, dealers and others where disclosure of your Personal Data is reasonably intended for the purpose of effecting, managing or reporting transactions or establishing a relationship with a view to such transactions;
- credit reference agents to meet our anti-money laundering obligations;
- your financial adviser (if applicable);
- where you are a joint account or portfolio holder (or otherwise one of multiple persons holding an account or portfolio), we may disclose your Personal Data to the other joint account or portfolio holder or other person; or if you have permitted another person to be authorised to provide instructions on your behalf personal information may be disclosed when required.
- our regulators, including the Financial Conduct Authority and also Her Majesty's Revenue and Customs if obliged;
- law enforcement agencies in connection with any investigation to help prevent unlawful activity; and
- in the context of the possible sale or restructuring of our business where Personal data may need to be disclosed as part of the due diligence process.

We require third parties to respect the security of your data and to treat it in accordance with the law. All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

#### **5. Keeping your data secure**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents,

contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

While we will use all reasonable efforts to safeguard your personal data, you acknowledge that the use of the internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any personal data that are transferred via the internet. If you have any particular concerns about your information, please contact us (see ‘How can you contact us?’ below).

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

## **6. Transfers of your information out of the EEA**

Our Custodian is based in Guernsey, which is outside of the European Economic Area (EEA). We are aware that certain countries outside the UK or the EEA have a lower standard of protection for personal information, including security protections. However, the European Commission has recognised Guernsey as providing adequate protection for personal data and on this basis we are satisfied that the transfer of your personal data to our custodian in Guernsey is subject to adequate safeguards, in accordance with the applicable data protection laws.

If we need to transfer your personal data outside the EEA in any other circumstances (other than to our custodian in Guernsey, or you the client if you are located internationally), for example if one of our suppliers or group companies is located outside the EEA, we will ensure that any transfer of your data will be subject to appropriate safeguards, such as for example a European Commission approved contract (if appropriate) that will ensure you have appropriate remedies in the unlikely event of a security breach.

## **7. Data retention**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. For example, in accordance with our legal and regulatory requirements, we will retain investors’ records for a minimum period of six years following the termination of our agreement with such investors. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you.

## 8. Rights and duties

### Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please let us know if your personal information changes during your relationship with us.

### Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a confirmation from us as to whether we process any of your personal information or not, and if this is the case, to receive a copy of such personal information and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information (often referred to as “the right to be forgotten”). This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information 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.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it, or if we no longer need your data for our legitimate interests but we need to hold some of it for the purpose of legal proceedings.
- Request the transfer of your personal information to another party.
- The right to lodge a complaint with the relevant data protection regulator if you think that any of your rights have been infringed by us.

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

- email, call or write to us (see Section 10 below);
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill). This is to allow us to verify your identity and prevent disclosure to unauthorised third parties; and

- let us know the details of your request, for example by specifying the personal data you want to access, the information that is incorrect and the information with which it should be replaced.

Please note that if you request erasure, object to our processing of your personal data or request the restriction of our processing of your personal data we may not be able to provide our services in relation to your investments.

## 9. Frank Investments Website

If you use a Frank Investments Website, we may collect technical information through the use of cookies. For example, what websites were visited by each user, any documents downloaded, security incidents, and prevention measures taken by the gateway. For more information on the cookies used by Frank Investments, please see our [Cookie Notice](#).

If you use a Frank Investments Website and follow a link from it to another website (including a website operated by Frank Investments), different privacy policies may apply. Prior to submitting any Personal Data to a website you should read the Privacy Policy applicable to that website.

## 10. Contact us; Questions or Concerns.

Please contact us if you have any questions about this privacy policy or the information we hold about you.

If you wish to contact us, please send an email to either Paul Sedgwick [paul@frankinvestments.co.uk](mailto:paul@frankinvestments.co.uk) or Amy Grovit [amy@frankinvestments.co.uk](mailto:amy@frankinvestments.co.uk) or write to us at Frank Investments, Holborn Town Hall, Level 3, 193-197 High Holborn, London WC12V 7BD or call us on 07770 496245.

We are usually able to resolve privacy questions or concerns promptly and effectively. If you are not satisfied with the response you receive, you may escalate concerns to the applicable privacy regulator in your jurisdiction. Upon request, we will provide you with the contact information for that regulator.

## 11. Changes to the privacy policy

We may change this privacy policy from time to time. You can contact us if you wish to receive a copy of this policy occasionally.