

## **Privacy Notice**

As a company, we always treat the security and privacy of our client's personal data and their rights in that data with the upmost seriousness, in accordance with our contractual duty to you and the EU General Data Protection Regulation (GDPR).

Please read our Privacy Policy below or on our website <https://planwithcare.co.uk/privacy> carefully, as it contains important information on how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

We use your personal data primarily to provide you with the financial and care planning advice you contract for, but also for related purposes including:

- conducting checks to identify you, verify your identity;
- complying with professional, legal and regulatory obligations that apply to our business;
- ensuring business policies are adhered to, e.g. policies covering security and internet use
- operational reasons, such as improving efficiency, training and quality control;
- statistical analysis to help us manage our practice , e.g. in relation to our financial performance, client base, work type or other efficiency measures;
- updating client records;
- staff administration and assessments, monitoring staff conduct, and disciplinary matters;
- marketing our services;
- external audits and quality checks.

Our use of your personal data is subject to your instructions, the GDPR, other relevant UK and EU legislation and our duty of confidentiality.

We may use your personal data to send you updates (by email or post) about care planning / financial planning developments that might be of interest to you and/or information about our services, including new services. You have the right to opt out of receiving promotional communications at any time, by:

- contacting Zoe Avery, the company's Data Protection Officer at [zoe@planwithcare.co.uk](mailto:zoe@planwithcare.co.uk) or by post
- using the 'unsubscribe' link in emails.

Please contact us by post, email or telephone if you have any questions about our Privacy Policy or the information we hold about you. If you would like a copy of our Privacy Policy forwarded to you, please let us know.

Yours faithfully

**Plan with Care Limited**

## **Privacy Policy**

We take your privacy very seriously. Please read this privacy policy carefully as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

When we use your personal data we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal data for the purposes of the GDPR. Our use of your personal data is subject to your instructions, the GDPR, other relevant UK and EU legislation and our professional duty of confidentiality.

## **Key terms**

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We, us, our	Plan with Care Limited
Our Data Protection Officer	Zoe Avery zoe@planwithcare.co.uk
Personal data	Any information relating to an identified or identifiable individual
Special category personal data	Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership Genetic and biometric data Data concerning health, sex life or sexual orientation

### Personal data we collect about you

The table below sets out the personal data we will or may collect in the course of advising and/or acting for you.

Personal data we will collect	Personal data we may collect depending on your circumstances
<p>Your name, address, telephone number and email address</p> <p>Your National Insurance and tax details</p> <p>Information to enable us to check and verify your identity, eg your date of birth or passport details</p> <p>Your financial details including details as to:</p> <ul style="list-style-type: none"> <li>• Your assets</li> <li>• Your liabilities</li> <li>• Your income</li> <li>• Your outgoings</li> </ul>	<p>The name, address, telephone number and email address of your Authorised Representative</p> <p>Documentation in relation to the status of your Authorised Representative for example a Power of Attorney or Deputyship Order</p> <p>Your bank and/or building society details</p> <p>Details of your spouse/partner and dependants or other family members</p> <p>Your employment status and details including salary and benefits</p> <p>Your medical records and any associated records such as consultant's notes / reports</p> <p>Other details in respect of your care provision / needs such as nursing home records</p>

This personal data is required to enable us to provide our service to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

### How your personal data is collected

We collect most of this information from you direct. However, we may also collect information:

- from publicly accessible sources, eg Companies House or HM Land Registry;
- from your Authorised Representative
- directly from a third party with your consent, eg:
  - nursing / care homes;
  - your doctors, medical and occupational health professionals;
  - care professionals;
  - your bank or building society, another financial institution or advisor;
  - consultants and other professionals we may engage in relation to your matter;

- your employer and/or pension administrators;

### How and why we use your personal data

Under data protection law, we can only use your personal data if we have a proper reason for doing so, eg:

- to comply with our legal and regulatory obligations;
- for the performance of our contract with you or to take steps at your request before entering into a contract;
- for our legitimate interests or those of a third party; or
- where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your personal data for and our reasons for doing so:

<b>What we use your personal data for</b>	<b>Our reasons</b>
To provide legal services to you	For the performance of our contract with you or to take steps at your request before entering into a contract
To liaise with our consultants	For the performance of our contract with you or to take steps at your request before entering into a contract
Conducting checks to identify our clients and verify their identity	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, eg policies covering security and internet use	For our legitimate interests or those of a third party, ie to make sure we are following our own internal procedures when delivering the service for you
Operational reasons, such as improving efficiency, training and quality control	For our legitimate interests or those of a third party, ie to be as efficient as we can when delivering the service for you
Ensuring the confidentiality of commercially sensitive information	For our legitimate interests or those of a third party, ie to protect our intellectual property and other commercially valuable information To comply with our legal and regulatory obligations
Statistical analysis to help us manage our practice, eg in relation to our financial performance, client base, work type or other efficiency measures	For our legitimate interests or those of a third party, ie to be as efficient as we can when delivering the service for you
Updating client records	For the performance of our contract with you or to take steps at your request before entering into a contract To comply with our legal and regulatory obligations For our legitimate interests or those of a third party, eg making sure that we can keep in touch with our clients about existing and new services

Ensuring safe working practices, staff administration and assessments	To comply with our legal and regulatory obligations For our legitimate interests or those of a third party, eg to make sure we are following our own internal procedures when delivering the service for you
Marketing our services to: —existing and former clients —third parties who have previously expressed an interest in our services —third parties with whom we have had no previous dealings.	For our legitimate interests or those of a third party, ie to promote our business to existing and former clients
External audits and quality checks, eg for CQS accreditation and the audit of our accounts	For our legitimate interests or a those of a third party, ie to maintain our accreditations so we can demonstrate we operate at the highest standards To comply with our legal and regulatory obligations

The above table does not apply to special category personal data, which we will only process with your **explicit consent**.

### **Promotional communications**

We may use your personal data to send you updates by email or post about developments in care / financial planning that might be of interest to you and/or information about our services, including any new services that we may be offering.

We have a legitimate interest in processing your personal data for promotional purposes (see above '**How and why we use your personal data**'). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your personal data with the utmost respect and never share it with other organisations for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by:

- contacting us by emailing Zoe Avery our Data Protection Officer at zoe@planwithcare.co.uk
- using the 'unsubscribe' link in emails

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

### **Who we share your personal data with**

We routinely share personal data with:

- professional advisers who we instruct on your behalf or refer you to, eg financial advisers, medical professionals, accountants, tax advisors or other experts;
- our insurers and brokers;
- external auditors;
- our bank;
- external service suppliers, representatives and agents that we use to make our business more efficient, eg typing services, marketing agencies, document collation;

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers relating to ensure they can only use your personal data to provide services to us and to you.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

We may also need to share some personal data with other parties, such as potential buyers of some or all of our

business or during a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations. We will not share your personal data with any other third party.

### **Where your personal data is held**

Information may be held at our offices, third party agencies, service providers, representatives and agents as described above (see ‘**Who we share your personal data with**’).

Some of these third parties may be based outside the European Economic Area. For more information, including on how we safeguard your personal data when this occurs, see below: ‘**Transferring your personal data out of the EEA**’.

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

We will keep your personal data after we have finished advising or acting for you. We will do so for one of these reasons:

- to respond to any questions, complaints or claims made by you or on your behalf;
- to show that we treated you fairly;
- to keep records required by law.

We will not retain your data for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of data. Further details on this are available in our client care letter/terms of business.

When it is no longer necessary to retain your personal data, we will delete or anonymise it.

### **Transferring your personal data out of the EEA**

To deliver services to you, it is sometimes necessary for us to share your personal data outside the European Economic Area (EEA), eg:

- with your and our service providers located outside the EEA;
- if you are based outside the EEA;
- where there is an international dimension to the matter in which we are advising you.

These transfers are subject to special rules under European and UK data protection law.

### **Your rights**

You have the following rights, which you can exercise free of charge:

Access	The right to be provided with a copy of your personal data
Rectification	The right to require us to correct any mistakes in your personal data
To be forgotten	The right to require us to delete your personal data—in certain situations
Restriction of processing	The right to require us to restrict processing of your personal data—in certain circumstances, eg if you contest the accuracy of the data
Data portability	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations

To object	The right to object: —at any time to your personal data being processed for direct marketing (including profiling); —in certain other situations to our continued processing of your personal data, eg processing carried out for the purpose of our legitimate interests.
Not to be subject to automated individual decision-making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you

For further information on each of those rights, including the circumstances in which they apply, please contact us or see the Guidance from the UK Information Commissioner’s Office (ICO) on individuals’ rights under the General Data Protection Regulation.

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

- make a data subject request by emailing, calling or writing to our Data Protection Officer—see below: ‘**How to contact us**’; and
- let us have enough information to identify you eg your full name, address and reference number;
- 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); and
- let us know what right you want to exercise and the information to which your request relates.

### Keeping your personal data secure

We have appropriate security measures to prevent personal data from being accidentally lost, or used or accessed unlawfully. We limit access to your personal data to those who have a genuine business need to access 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.

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit [www.getsafeonline.org](http://www.getsafeonline.org). Get Safe Online is supported by HM Government and leading businesses.

### How to complain

We hope that we can resolve any query or concern you may raise about our use of your information.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone: 0303 123 1113.

### Changes to this privacy policy

This privacy policy was published on 30/08/2018

We may change this privacy policy from time to time, when we do we will inform you via email and by notice on our website.

### How to contact us

Please contact us by post, email or telephone if you have any questions about this privacy policy or the information we hold about you.

Our contact details are shown below:

<b>Our contact details</b>	<b>Our Data Protection Officer's contact details</b>
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Plan with Care Limited  
The Workshop, 32-40 Tontine Street, Folkestone,  
Kent, England, CT20 1JU

Zoe Avery, DPO  
Email: [zoe@planwithcare.co.uk](mailto:zoe@planwithcare.co.uk)  
Tel: 01303 764576

**Do you need extra help?**

If you would like this policy in another format (for example audio, large print, braille) please contact us (see 'How to contact us' above).