

## **Data Privacy Summary**

MacCourt Financial Planning Ltd and MacCourt Trustees Ltd are committed to protecting and respecting your privacy.

It is the intention of this privacy statement to explain to you the information practices of MacCourt Financial Planning Ltd and MacCourt Trustees Ltd in relation to the information we collect about you and other users.

For the purposes of the GDPR the data controllers and/or data processors are:

MacCourt Financial Planning Ltd & MacCourt Trustees Ltd

60 Merrion Square, Dublin 2. Telephone 01 6614800 Email: [info@maccourt.ie](mailto:info@maccourt.ie)

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?**

Throughout this document, "we", "us", "our" and "ours" refer to MacCourt Financial Planning Ltd. and/or MacCourt Trustees Ltd.

MacCourt Financial Planning Ltd. is a firm of fee based financial advisers. We represent many of the major life assurance, investment companies and banks. We are regulated by the Central Bank of Ireland and our clients are covered by the Investors Compensation Company. We are members of Brokers Ireland. MacCourt Financial Planning Ltd. may also act as a deposit broker. We may receive and transmit orders on your behalf for a product (s) to one or more of the Product Producers listed in the terms of business. As an Investment Intermediary, MacCourt Financial Planning Ltd. is authorised to provide investment advice, and to receive and transmit orders to product producers as outlined in our terms of business.

MacCourt Trustees Ltd is authorised by the Minister for Justice and Equality to carry on business as a "trust or company service provider" in accordance with section 89(6) of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010. MacCourt Trustees Ltd primarily acts as a Pensioner trustee for self-administered pension schemes and therefore makes regular returns to the Revenue Commissioners Large Case Division – Pensions; and also to the Pensions Authority providing summary accounts for pension schemes and other information as required periodically including Annual Scheme Information.

Our Data Protection / GDPR representative (for both companies) can be contacted directly here:

- Zoe Giltrap MacCourt
- [zoe@maccourt.ie](mailto:zoe@maccourt.ie) or [info@maccourt.ie](mailto:info@maccourt.ie)
- 01 6614800

## **Purpose for processing your data**

It is important that you know exactly what we do with personal information that you and others provide to us, why we gather it and what it means to you.

This Data Privacy Notice is provided to fulfil our obligations under the General Data Protection Regulation (GDPR), effective from 25 May 2018, which requires greater accountability and transparency from organisations such as ours with regard to your personal information, and which gives you greater control over how we use it.

Our Data Privacy Notice explains how and when we collect personal data about you, why we do so and how we treat this information. It also explains your rights in relation to the collection of personal information and how you can exercise those rights.

We urge you to read our Data Privacy Notice.

## **Why do MacCourt Financial Planning Ltd / MacCourt Trustees Ltd need to collect and store personal data?**

In order for us to provide you with our services, we need to collect personal data for analysis to prepare a comprehensive financial report. We 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.

In terms of being contacted for marketing purposes we would contact you for additional consent.

## **How will MacCourt Financial Planning Ltd / MacCourt Trustees Ltd use the personal data it collects about me?**

MacCourt Financial Planning Ltd / MacCourt Trustees Ltd 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 endeavour to keep your information accurate and up to date, and not keep it for longer than is necessary.

MacCourt Financial Planning Ltd / MacCourt Trustees Ltd are required to retain information in accordance with the law, such as information needed for income tax and audit purposes. How long certain kinds of personal data should be kept may also be governed by specific business-sector requirements and agreed practices. Personal data may be held in addition to these periods depending on individual business needs.

Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimise the risk of unauthorised access or disclosure.

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

In order for us to provide you with our services, we need to collect personal data. Our reason (lawful reason) for processing your data under the GDPR is:

- **Legal basis** – MacCourt Financial Planning/MacCourt Trustees Ltd needs to process your data as this is necessary in relation to the provision of financial advice and/or a contract of investment/insurance/pension 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.

We 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.

### **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 ensure the below

- 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 MacCourt Financial Planning Ltd/MacCourt Trustees Ltd 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 fulfill 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 MacCourt Financial Planning's / MacCourt Trustees' procedures. If we wish to pass your sensitive personal data onto a third party we will only do so once we have obtained your consent, unless we are legally required to do otherwise

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:**

We, MacCourt Financial Planning Ltd/MacCourt Trustees Ltd facilitate the data subject's rights in line with the 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** – you also have the right to be subject to the legal effects of automated processing or profiling.
- **Right to judicial review:** in the event that MacCourt Financial Planning Ltd /MacCourt Trustees Ltd refuse your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined in clause 3.6 below.

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. MacCourt Financial Planning Ltd/MacCourt Trustees Ltd will process personal data in accordance with our retention schedule. This retention schedule has been governed by our regulatory bodies (e.g. Central Bank, Revenue Commissioners, Pensions Authority, Department of Justice) and our internal governance.

### **Withdraw consent**

If we are relying on your consent to process your data you can withdraw this at any time – this does not affect the lawfulness of processing based on your consent before its withdrawal.

## **Complaints**

In the event that you wish to make a complaint about how your personal data is being processed by MacCourt Financial Planning Ltd. /MacCourt Trustees Ltd. (or third parties as described in this document), or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and MacCourt Financial Planning Ltd.'s /MacCourt Trustees Ltd.'s data protection representatives.

## **Failure to provide further information**

If we are collecting your data for a statutory requirement or to fulfill a contract (e.g. life assurance policy) and you cannot provide this data, the consequences of this could mean the contract cannot be completed or details are incorrect.

## **Profiling – automatic decision making**

The main categories are

- Risk profiling.
- Profiling for marketing purposes.
- Establishing affordability and providing quotations for financial services and product

## **Risk Profiling**

To establish a customer's attitude to investment risk (relates to pensions and investments) advisors have automated calculators which calculate the customers' attitude to various levels of risk having answered 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.**

Our Regulator, The Central Bank of Ireland, requires that we establish a customer's ability to afford the cost of a financial or mortgage product before proceeding with a transaction. We have automated processes which assist us profile and calculate a customer's net disposable income from the information that customers provide to us in relation to their gross income, family expenses, taxation and commitments etc.

Additionally, we have automated processes that enable us to calculate the costs of products including protection insurances and mortgages. These costs can vary between customers depending on matters such as age, term of a proposed product, type of product and product features. A customer's health may also have a bearing.

## **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.

### **If we have received your personal data from another source:**

Where MacCourt Financial Planning Ltd. /MacCourt Trustees Ltd. have collected your personal data from an insurance company/pension provider/stockbroker/accountant/solicitor/other intermediary/employer/spouse or any other source, we are committed to protecting and respecting your privacy.

It is the intention of this privacy statement ("Privacy Statement") to explain to you the information practices of MacCourt Financial Planning Ltd. /MacCourt Trustees Ltd. in relation to the information we collect about you and other users.

We want to share any other information required to demonstrate that the processing is fair and transparent.

If we have received your personal data from another source we will endeavour to share with you:

- within one month of obtaining the personal data, in accordance with the specific circumstances of the processing;
- at the first instance of communicating in circumstances where the personal data is used to communicate with the data subject;
- when personal data is first disclosed in circumstances where the personal data is disclosed to another recipient.

### **The above will not apply when:**

- If you already have the information;
- If the provision of the above information proves impossible or would involve an excessive effort
- If obtaining or disclosure of personal data is expressly identified by Member State law; or
- If personal data must remain confidential subject to an obligation of professional secrecy regulated by Member State law, including a statutory obligation of secrecy.

## **Responsibilities**

The Data Protection / GDPR representative is responsible for ensuring that the privacy notice(s) is correct and that mechanisms exist such as having the Privacy Notice(s) on the MacCourt website to make all data subjects aware of the contents of this notice prior to MacCourt Financial Planning/MacCourt Trustees commencing collection of their data.

All staff that need to collect personal data are required to follow this procedure.

## **Questions Regarding the Privacy Statement and Conditions of Use**

If you have any questions about our Privacy Statement and Conditions of Use, or any concern about privacy at the MacCourt Financial Planning/MacCourt Trustees or the use of this site in general, please contact us by e-mail at [info@maccourt.ie](mailto:info@maccourt.ie)

## **Under the EU's General Data Protection Regulation (GDPR) personal data is defined as:**

*“any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.*

## **Privacy policy statement changes**

We 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 June 2018