

## Client Privacy Notice

### About this document

Sand Aire Limited (a UK company, registered with the UK Information Commissioner's Office with registration number Z6882334), with its registered office at 105 Wigmore Street, London W1U 1QY (referred to in this document as "**Sandaire**", "**we**", "**our**" or "**us**"), is the data controller of your personal data and is subject to the Data Protection Act 2018 ("**DPA**").

This privacy notice explains why and how Sandaire processes the personal data of our clients (and, where relevant, their family members) and prospective clients ("**you**" or "**your**"). This privacy notice is also relevant to our clients' advisors, whose personal data (limited to names, professional contact details and other personal information contained in correspondence) we do not specifically seek to collect but which we have access to in the course of providing services to our clients.

This privacy notice was updated on 15<sup>th</sup> May 2020 and supersedes any previous privacy notice or similar terms provided by, or on behalf of, Sandaire in connection with the services we provide to you.

### How we collect your personal data

We collect your personal data in various ways, principally:

- from information you provide to us when you interact with us before becoming a client, for example when you contact us to request information about our services and provide us with indicative information so that we may provide you with a proposal;
- when you ask us to provide services to you and provide us with your personal data (and your family members' personal data, where relevant) in Investment Management Agreements, Investment Policy Statements (and related forms and accompanying identification documents);
- from third parties and publicly available sources, for example when we carry out due diligence checks on you before we can accept you as a client;
- from third party intermediaries and your agents and representatives where they are interacting with us on your behalf (for example, custodians of your assets, tax advisors, family office firms, or trust companies); and
- in the other ways you interact with us during your time as our client, for example when you meet with us or we have formal correspondence and other communications with you in connection with the services we provide to you.

### The categories of personal data we collect

We collect the following types of personal data about you:

- Biographical and contact information, including your name, date of birth, nationality and contact information such as address, email address and telephone number (and those of your family members, where relevant);
- Identification and due diligence information, including your passport information, proof of address, national insurance number (or other tax identification number) and due diligence information such as the results of anti-money laundering and 'know your client' background checks; and
- Financial and wealth related information, including bank account details and information relating to your financial situation such as your assets, net worth, income and source of wealth.

We may also collect special categories of personal data, including more sensitive personal data, such as information concerning your state of health ("**sensitive personal data**") as well as data relating to criminal convictions and offences, where relevant for the purposes set out below.

*Note:* Failure by you to provide personal data requested by us may mean that we are unable to provide the services you have requested.

### **The legal grounds and purposes for processing your personal data**

We process your personal data because it is ***necessary for the delivery of the service we provide you and for the performance of the associated agreement and mandates*** or in order to take steps at your request prior to entering into such an agreement. In this respect, we may use your personal data:

- to interact with you before you become our client, for example when you express your interest in our services (for example, to send you a proposal or answer enquiries about our services);
- once you have engaged us and become our client, to provide you with the services as set out in our Terms of Business or any other agreement;
- for the purposes of processing payments, transfers and distributing financial statements, notices and performance reports;
- corresponding and interacting with you (or others acting on your behalf) about your services and including to deal with any concerns or feedback you may have; and
- maintaining records of your transactions.

We also process your personal data for our ***compliance with our legal obligations***. In this respect, we may use your personal data:

- to confirm your identity and carry out due diligence checks, including to confirm your source of wealth for anti-money laundering and 'know your client' purposes;
- to fulfil tax reporting obligations, principally to HM Revenue and Customs but including under any reporting agreement entered into with a tax authority or revenue service from time to time;
- to meet our other compliance and regulatory obligations, including in order to comply with any requirement of any applicable statute, regulation or regulatory rule to which we are subject.

We may also process your personal data because it is necessary for our or a third party's ***legitimate interests***. Our "legitimate interests" include our commercial interests in operating our business in a client focused, efficient and sustainable manner, in accordance with all applicable legal and regulatory requirements. In this respect, we may use your personal data:

- outsourcing selected 'back office' functions to third parties (for example, suppliers of hosted administration solutions, software solutions or cloud storage providers) for the purposes of efficient, fast and secure access to data;
- to monitor and evaluate the performance and effectiveness of our services; and
- in order to keep you informed (by letter, telephone, email and other electronic means) of our strategy or events which may be of interest to you. *Note:* If you do not wish to receive such information, please let us know now or at any time in the future, and your details will be removed from our distribution list(s).

We may also process your personal data where:

- it is necessary for reasons of ***substantial public interest*** (for example, where the due diligence checks we carry out involve our processing data relating to criminal convictions and offences);

- it is necessary for the **establishment, exercise or defence of legal claims** (for example, to protect and defend our rights or property, and/or the rights or property of our clients, or of third parties); and
- we have your specific or, where necessary, explicit **consent** to do so (for example, where we process sensitive personal data concerning your health or any medical conditions for the purpose of making adjustments when we meet with you or to provide you with a more responsive, tailored service).

### Monitoring of communications

As a matter of course, Sandaire records and monitors the use of the firm's communications equipment by its employees and other staff. This means that when you speak with a member of our Family Office Services or Real Estate Teams (or another member of our staff) by telephone (including calls to and from Sandaire mobile telephones), your calls may be recorded and/or monitored. In the same way, the content of email communications may be monitored for the following purposes:

- in pursuit of our legal obligations or in compliance with regulatory rules or requirements;
- for training purposes, allowing us to improve the quality of our communications with you;
- as evidence of your instructions and to ensure that we are providing a high quality service to you;
- for the establishment, exercise or defence of disputes or legal claims (where relevant); and
- for preventing or detecting crime (including fraud).

### When your personal data may be shared with others

In order to provide our services to you, we may disclose your personal data:

- to other organisations including those in the Sandaire group,;
- to Multrees Investor Services Limited, whom we use as a service provider in the administration and record keeping of the investment portfolios we manage and report upon;
- to other third parties we may engage to perform, or assist in the performance of, our services or to advise us, for example SmartCredit Limited (trading as SmartSearch), whom we use to help us carry out due diligence checks;
- to counterparties or, where you are a beneficiary or policyholder in respect of a portfolio, fund or account which is legally owned by a third party provider, to such third party provider;
- to other signatories for your portfolio, fund or account (such as trustees and attorneys) and if you are a joint client, to the other client named in any relevant Terms of Business or any other agreement; and
- in circumstances where we are required or authorised by law (including applicable data protection laws), court order, regulatory or governmental authorities to disclose your personal data.

### Transferring your personal data overseas

Where relevant for your services, your personal data may be transferred to and processed outside of the European Economic Area ("**EEA**") in countries or territories that do not provide the same level of protection for personal data as the EEA does. Where this happens, we will put appropriate measures in place to ensure the adequate protection of your personal data when it is transferred outside of the European Economic Area ("**EEA**"), as required by the General Data Protection Regulation ((EU) 2016/679) (**GDPR**).

In these circumstances, your personal data will only be transferred on one of the following grounds:

- the country or territory to which the transfer is made ensures an adequate level of protection for personal data;

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- Sandaire and the recipient of the personal data outside the EEA have signed a form of model data protection clauses (standard contractual clauses) approved by the European Commission; or
- there exists another situation where the transfer is permitted under applicable law (for example, where we have your explicit consent to make the transfer).

You can obtain more details of the protection given to your personal data when it is transferred outside the EEA (including a copy of the standard contractual clauses which Sandaire has entered into with recipients of your personal data by contacting us using the details set out below.

### **How long your personal data is kept**

We will retain your personal data for as long as we are providing you with the services referred to in any relevant Terms of Business or any other agreement, and for as long as permitted or required for legal and regulatory purposes after the relationship between you and us has ended, or if your application for a particular service or services is declined or abandoned.

In particular, we will retain your personal data relating to your portfolio, fund or account for a period of seven years following the date on which you cease to invest with us, in case any claim arises in relation to the management of your portfolio, fund or account.

### **Your rights in relation to your personal data**

Under the DPA, you have the following rights in relation to our processing of your personal data. Please note that these rights are not absolute, and we may be entitled to refuse requests where exceptions apply.

- to obtain access to, and copies of, the personal data that we hold about you;
- to require us to correct the personal data we hold about you if it is incorrect;
- to require us to erase your personal data in certain circumstances;
- to require us to restrict our data processing activities in certain circumstances;
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on you;
- to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller; and
- where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal.

If you have given your consent and you wish to withdraw it, please contact us using the contact details as set out below. Please note that where our processing of your personal data relies on your consent and where you then withdraw that consent, we may not be able to provide all or some aspects of our services to you and/or it may affect the provision of those services.

If you are not satisfied with how we are processing your personal data, you can raise a concern with the Information Commissioner. You can also find out more about your rights under data protection legislation from the Information Commissioner's Office website available at: [www.ico.org.uk](http://www.ico.org.uk).

### **Contact us**

If you have any comments or questions about how we process your personal data, you can contact our Head of Family Office Services by writing to our registered office: Sand Aire Limited, 105 Wigmore Street, London, W1U 1QY. Alternatively, you can contact us by email [charlotte.filsell@sandaire.com](mailto:charlotte.filsell@sandaire.com) or by telephone 020 7290 5200.