

---

My Personal Data

and Hampden & Co plc



## Shareholder Privacy Notice

January 2021

### 1. INTRODUCTION

Hampden & Co plc ('the Bank', 'we', 'us') is committed to protecting the privacy and security of your personal information.

This Shareholder Privacy Notice (the 'notice' or 'privacy notice') describes how we collect and use personal information about you before, during and after you have a shareholding with us. It is important you read this notice so that you are aware of how and why we are using such information. We recommend you keep a copy of this notice.

We are a data "controller" which means that we are responsible for deciding how we hold and use personal information about you.

You can contact us at:

Hampden & Co plc, 9 Charlotte Square, Edinburgh, Scotland, EH2 4DR, or by email at [contact@hampdenandco.com](mailto:contact@hampdenandco.com), or by calling us on 0131 226 7300.

We are required under data protection legislation to notify you of the information contained in this privacy notice. We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

This notice does not form part of your shareholding contract with the Bank.

### Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

---

## **2. YOUR PERSONAL INFORMATION**

In this privacy notice, 'your personal information' means your personal data i.e. information about you from which you can be identified.

We may hold the following personal information about you and use it as we describe in section 4:

- your name, address, telephone numbers, email address(es), date of birth, place of birth, nationality, tax/residency status, passport, employment, banking and financial details;
- information we receive when making a decision about you;
- information that you provide by completing forms that we provide to you;
- information we obtain from administering your shareholding;
- details of the shareholding you have and have had with us and all relevant transactions;
- Closed circuit television (CCTV) in branches; and/or
- details of when you contact us and when we contact you (e.g. copies of any correspondence and recordings of telephone calls).

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

You may also provide us with information about other people connected to you such as your dependents. Please ensure that you know they agree, or that you are otherwise allowed to give us this information.

### **Special Categories of Personal Information**

'Special categories of personal information' means information about you that is sensitive or intrinsically private. This includes your racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; health; sex life or sexual orientation; criminal convictions, offences or alleged offences; genetic data; or biometric data for the purpose of uniquely identifying you.

We do not expect to hold Special Categories of Personal Information about you.

## **3. HOW YOUR PERSONAL INFORMATION IS COLLECTED**

We collect personal information about you through either the share application process or the share transfer process, either directly from you, from a registered shareholder or sometimes from a background check provider or from credit reference agencies.

We will collect additional personal information about you throughout the period of your shareholding.

## **4. HOW WE PROCESS YOUR PERSONAL INFORMATION**

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

- 
1. To enter into, or to perform the contract we have entered into with you; or
  2. Where we need to comply with a legal obligation that applies to us; or
  3. 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.

We will use it:

- to process and complete your requests and/or applications;
- to communicate shareholder information;
- for security and ID verification;
- to detect and prevent criminal activity and fraudulent transactions;
- to update our records and maintain your shareholding with us;
- to protect ourselves against harm to our rights and property interests; and/or
- to provide specific information to our regulators and other government bodies to adhere to our regulatory, legal and compliance obligations.

### **Data security**

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 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. Details of these measures may be obtained from the Company Secretary or the Data Protection Officer.

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.

### **If you fail to provide personal information**

In other cases, if you fail to provide certain information when requested, we may not be able to enter into or perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

### **Automated decision making**

We do not envisage taking any decisions about you based solely on automated processing (i.e. without human involvement), which have a legal or similarly significant effect on you.

### **Change of purpose**

We 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.

---

## 5. DATA SHARING WITH THIRD PARTIES

We share your personal information with third parties where required by law, where it is necessary to administer our contract with you or where we have another legitimate interest in doing so. All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies.

### **Our service providers**

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. We may share your data with:

#### **People who support services we provide**

- third parties who help us provide our services to you, and who are bound to keep such information secure and confidential;
- organisations or agencies who host or maintain data centres, service platforms and other infrastructure and systems on our behalf, where your personal information is processed and/or stored; and
- our professional advisers, for example our auditors.

#### **People we have obligations to give it to**

- UK tax authorities;
- UK and overseas regulators and authorities in connection with their duties;
- when we are required to comply with (i) a court order, (ii) a request from a law enforcement agency or (iii) other legal obligations;
- when there is a public duty to disclose information for example law enforcement and professional bodies;
- to comply with anti-money laundering legislation;
- when it is necessary to prevent bribery, fraud, terrorist financing and money laundering;
- to meet our obligations under the sanctions compliance regime; and
- in the event of an emergency, the emergency services.

#### **People you want us to give it to**

- to your advisers (such as accountants, lawyers, financial or other professional advisers) if you have authorised anyone like this to represent you, or any other person you have told us is authorised to give instructions or to use the account or services on your behalf (such as an attorney under a power of attorney); and
- other instances where you have provided consent.

#### **We may also share your information for our legitimate interests**

- in the event that we sell or buy any of our business or assets, in which case we may disclose your personal information to the prospective seller or buyer of such business or assets, or to anyone funding the sale or purchase of such business or assets regardless of whether the sale or purchase is completed; and
- to protect our rights, property, or safety of you and others.

---

## 6. HOW WE WORK WITH IDENTITY VERIFICATION, CREDIT REFERENCE AND FRAUD PREVENTION AGENCIES

### Identity Verification Agencies and Credit Reference Agencies

In order to process your application to become a shareholder, or during the share transfer process, we may perform identity and credit checks about you using Identity Verification Agencies and Credit Reference Agencies who supply us with identity information, as well as information about you from the Electoral Register, in order to verify your identity. Our search is not seen or used by lenders to assess your ability to obtain credit but a record is retained by the agency whether or not you become a shareholder.

### Fraud Prevention Agencies

The personal information we have collected about you will be shared with Fraud Prevention Agencies (FPAs) who will use it to prevent fraud and money-laundering and to verify your identity. If fraud is detected, you could be refused certain services, finance or employment. Further details of how your information will be used by us and these FPAs, and your data protection rights, can be found under Fair Processing Notice in the Downloads section of our website at [www.hampdenandco.com](http://www.hampdenandco.com).

You can contact us if you want to receive details of the relevant FPAs we use.

## 7. TRANSFERRING INFORMATION OUTSIDE THE UNITED KINGDOM

We, or third parties acting on our behalf, may transfer your personal information outside the United Kingdom (UK). We will protect your personal information in accordance with the standards set out under the UK General Data Protection Regulation. We do this by including strong undertakings in the contracts we put in place with those relevant parties.

Additionally, we and other organisations we work with may access and use information recorded by fraud prevention agencies from other countries.

## 8. HOW LONG WE KEEP YOUR PERSONAL INFORMATION FOR

Once you are no longer a shareholder, we will keep your information for a period of at least 6 years thereafter, or longer if required by law or regulation, to allow us to establish, exercise or defend legal claims.

## 9. YOUR RIGHTS

Under certain circumstances, by law you have the right in connection with your personal information to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you 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. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it or if we must delete the data to comply with a legal obligation. 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
  - **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. Where this right is validly exercised, we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.
  - **Request the transfer** of your personal information to you or another party if our processing is based on your consent or is necessary to carry out our contract with you and is carried out by automated means.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Company Secretary in the first instance.

### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such 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 the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

## **10. CONTACTING OUR DATA PROTECTION OFFICER**

We have appointed a Data Protection Officer (DPO) to oversee compliance with this privacy notice and with data protection legislation. If you have any questions about this privacy notice or how we handle your personal information, which cannot be adequately addressed through the Company Secretary, please contact the DPO at [dpo@hampdenandco.com](mailto:dpo@hampdenandco.com).

We aim to address all queries and resolve all complaints internally via the Company Secretary and our DPO but you have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues.