

# Data Privacy Notice | We care about your data

Because we care about you and the information you share with us, we wanted to provide as much detail as possible about what we do with the data we hold about you.

You can use this page to see all the information available at a glance, and to jump straight to the section you're looking for by simply clicking the links.

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## Our commitments to you are:



### **We protect your personal information**

Keeping your personal information safe and secure is a priority. We use safeguards such as firewalls and encryption to help keep your personal information safe.



### **We do not sell your personal information**

We sometimes share your information with other companies to provide the products and services you want. It will only be used for the specific purposes that we agree in advance, not for marketing, additional products or services.



### **We use your information to improve our products and services**

We use personal information to continually improve our services and create better investment products to offer you.



## In this Privacy Notice you can find out more about:

- What personal information we collect and use;
- How we collect, use and share personal information
- Your rights in relation to any personal information we hold about you; and
- How you can contact us with any questions you may have about information privacy.

We may amend this Privacy Notice from time to time to keep it up to date with current legal requirements, the way we operate our business or if we are advised to do so by our regulator. We will always inform you of any significant changes to the way we use your personal information when this deviates from information originally provided by us when the data was first collected.

### Who we are

Sesame Limited collects, uses and is responsible for certain personal data about you. When we do so we are required to comply with data protection regulation and we are responsible as a data controller of that personal data for the purposes of those laws.

When we mention "Sesame", "we", "us" or "our" we are referring to Sesame Limited. You can contact us at: Sesame Limited, Fourth Floor, Jackson House, Sibson Rd, Sale M33 7RR.

Your adviser is an appointed representative of Sesame. This means that Sesame is responsible for the regulated activities performed by your adviser as set out in the initial disclosure document given to you by your adviser. In other words, we are responsible for making sure that authorised sales your adviser makes to you and advice your adviser gives to you are compliant with the rules and regulations that apply to financial services in the UK and with our policies and procedures.

We and your adviser have certain shared systems (and so shared access to your personal data). This means that in respect of certain personal data of yours, we and your adviser will be joint data controllers.

The manner in which your adviser will process your personal data is set out in a separate privacy notice which your adviser should provide you with at the start of your engagement.



## What personal information do we collect and use?

### Personal information we collect and use

In the course of our monitoring, oversight and complaint handling activities we may collect the following personal data when you provide it to us:

- contact information
- identity information
- financial information
- payment information
- employment status
- lifestyle information
- health information
- data about criminal convictions or offences
- details of any vulnerability
- details of your dependents and/or beneficiaries under a policy (If you are providing information about another person we expect you to ensure that they know you are doing so and are content with their information being provided to us. You might find it helpful to show them this privacy notice and if they have any concerns please contact us in one of the ways described below.)
- product details

### Information collected from other sources

We also obtain personal data from other sources in the course of our monitoring, oversight and complaint handling activities. Most of this information is or was provided to us by your adviser. It is their responsibility to make sure they explain that they will be sharing personal data with Sesame and, where necessary, ask permission before sharing information with us.

The personal data we obtain from other sources may include the following:

From your adviser and/or their previous network or employer (if applicable):

- contact information
- identity information
- financial information
- employment status
- lifestyle information
- health information
- data about criminal convictions or offences
- details of any vulnerability
- details of your dependents and/or beneficiaries under a policy
- product details



From lenders and/or product providers:

- product details
- contact information
- identity information
- financial information
- employment status
- health information

From identification and verification checking agencies:

- identity information
- sanction check information

From tracing agents:

- contact information

## How we collect, use and share personal information

We are committed to respecting and protecting your personal information in accordance with applicable data protection laws.

### What is our legal basis for processing your Personal Data?

We will only use your personal data when the law allows us to (legal basis). In very limited cases we may need to process your personal data without your knowledge or consent where this is required or permitted by law. Most commonly, we will use your personal data in the following circumstances and for the following purposes:

- Where we need to perform a contract, we are about to enter into or have entered into with you (“Contractual Necessity”).
- Where we need to comply with a legal or regulatory obligation (“Compliance with Law”) to verify your identity, help detect and prevent fraud and fight financial crime.
- Where we need to comply with the Anti-Money Laundering (AML) Directive, it specifies that AML/Counter Terrorist Financing should be processed under the legal basis of Public Interest (“Public Interest”).
- Sometimes we need to process sensitive information about a person’s vulnerabilities to provide additional support to better meet their needs. We can only collect and use this information where we have an additional, specific lawful basis to process such information. This is processed under the legal basis of Substantial Public Interest – Safeguarding Economic Wellbeing (“Public Interest”).
- Where it is in our legitimate interests, we will always make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal information for our legitimate interests (“Legitimate interests”).
- Where we have your consent to carry out the processing (“Consent”).



Wherever we collect or use this information, we'll make sure we do this for a valid legal reason.

Rationale/Reason for Processing	Lawful Basis for Processing	Third party recipients linked to that activity
<ul style="list-style-type: none"> <li>to manage complaints</li> </ul>	Compliance with a legal obligation	<p>Your <i>adviser</i></p> <p>The Financial Ombudsman Service</p> <p>The Financial Conduct Authority</p> <p><i>Lender/product provider</i></p> <p><i>Our</i> professional indemnity insurers and insurance adviser</p> <p><i>Our</i> external solicitors</p> <p>External consultants/advisers to assist in assessing complaints</p> <p>The Aviva group (<i>our</i> parent company)</p>
<ul style="list-style-type: none"> <li>to assess the suitability of any advice provided to you and/or the competency of your <i>adviser</i> in compliance with <i>our</i> monitoring and oversight obligations</li> </ul>	Compliance with a legal obligation	<p>Your <i>adviser</i></p> <p>The Financial Conduct Authority</p> <p><i>Lender/product provider</i></p> <p>Sesame Group India Pvt Ltd</p> <p>External consultants/advisers to assist in assessing complaints</p> <p>The Aviva group (<i>our</i> parent company)</p>
<ul style="list-style-type: none"> <li>to trace your whereabouts to contact you about any advice provided to you</li> </ul>	Compliance with a legal obligation	Tracing agents



<ul style="list-style-type: none"> <li>to retain records of any services or advice provided to you by your <i>adviser</i> in accordance with <i>our</i> regulatory obligations</li> </ul>	<p>Compliance with a legal obligation</p>	<p>External supplier(s) of data storage and data hosting services to retain records on <i>our</i> behalf</p>
<ul style="list-style-type: none"> <li>to manage legal claims</li> </ul>	<p>Legitimate interests – we have a legitimate interest in protecting <i>our</i> organisation from breaches of legal obligations owed to <i>us</i> and to defend <i>ourselves</i> from litigation. This is needed to ensure that <i>our</i> legal rights and interests are managed appropriately</p>	<p>Your <i>adviser</i></p> <p><i>Our</i> professional indemnity insurers and insurance adviser</p> <p><i>Our</i> external solicitors</p> <p>The Aviva group (<i>our</i> parent company)</p>
<ul style="list-style-type: none"> <li>to detect, prevent and investigate fraudulent applications for <i>products</i></li> <li>to undertake investigations into allegations of misconduct and/or criminal offences</li> <li>to notify the relevant authorities of any suspicious activity following an investigation undertaken by <i>us</i> into allegations of misconduct and/or criminal offences</li> </ul>	<p>Compliance with a legal obligation.</p> <p>We also consider that we have a legitimate interest in protecting <i>our</i> organisation, other parties and the financial services industry more widely in detecting, preventing and investigating financial crime and/or misconduct</p>	<p>Your <i>adviser</i></p> <p>The Financial Ombudsman Service</p> <p>The Financial Conduct Authority</p> <p><i>Lender/product provider</i></p> <p><i>Our</i> professional indemnity insurers and insurance adviser</p> <p><i>Our</i> external solicitors</p> <p><i>Network/previous employer</i></p> <p>National Crime Agency (NCA)</p> <p>Police</p> <p>HMRC</p>
<ul style="list-style-type: none"> <li>to retain records of any services or advice provided to you by your <i>adviser</i> in order to defend potential legal claims or complaints</li> </ul>	<p>Legitimate interests – we have a legitimate interest in defending <i>ourselves</i> from legal claims and complaints. This is needed to ensure that <i>our</i> legal rights and interests are managed appropriately</p>	<p>External supplier(s) of data storage and data hosting services to retain records on <i>our</i> behalf</p>



<ul style="list-style-type: none"> <li>to undertake anti-money laundering, identification and verification checks, including assessment of your <i>sanction check information</i> (any personal data obtained for the purposes of meeting with The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 will only be processed for the purposes of preventing money laundering or terrorist financing, unless the use of the data is permitted by or under another enactment other than those Regulations, or we have another lawful basis for processing it)</li> </ul>	<p>Compliance with a legal obligation</p>	<p>Sesame Group India Pvt Ltd</p> <p>External supplier(s) to conduct anti-money laundering, identification and verification checks on <i>our</i> behalf</p> <p><i>Lender/product provider</i></p>
<ul style="list-style-type: none"> <li>to identify any commission or fee payments due to your <i>adviser</i> as a result of the service they have provided to you</li> </ul>	<p>Legitimate interests – we have a legitimate interest in being able to identify any commission or fee payments due your <i>adviser</i> as a result of the service they have provided to you in order that we can comply with <i>our</i> contractual obligations to them</p>	<p>Your <i>adviser</i></p> <p><i>Lender/product provider</i></p>
<ul style="list-style-type: none"> <li>to issue responses to press/news stories concerning services or advice provided to you by your <i>adviser</i> and/or complaints or legal claims made by you, in order to minimise the reputational impact on <i>Sesame</i></li> </ul>	<p>Legitimate interests – we have a legitimate interest in being able to issue responses to press/news stories concerning services or advice provided to you by your <i>adviser</i> and/or complaints or legal claims made by you, in order to minimise the reputational impact on <i>us</i></p>	<p>The Aviva group (<i>our</i> parent company)</p>
<ul style="list-style-type: none"> <li>to evidence satisfaction of any request made by you in accordance with your rights under <i>data protection regulation</i></li> </ul>	<p>Compliance with a legal obligation</p>	<p>Information Commissioner’s Office</p>





- to perform administrative tasks in relation to the above referenced uses of your data

Legitimate interests – we have a legitimate interest in transmitting personal data to other organisations within our group for centralised administration purposes

The Sesame Bankhall group

**How we keep your personal information secure**

We have appropriate security measures in place to prevent personal data from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal data to those who have a genuine business need to know 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.

**Retaining personal information on our systems**

We generally only keep personal information for as long as is reasonably required for the purposes explained in this Privacy Notice. We do keep certain transactional records - which may include personal information - for more extended periods to meet legal, regulatory, tax or accounting needs. For instance, we are required to retain an accurate record of dealings with us, so we can respond to any complaints or challenges you or others might raise later. We will also retain files if we reasonably believe there is a prospect of litigation.

To support us in managing how long we hold your data and our record management, we maintain a Record Retention Policy which includes clear guidelines on data deletion.

We may also retain personal information in an aggregated form which allows us to continue to develop/improve our products and services.

Type of Record	Retention Period
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Advice file containing a record of any services or advice provided to you by your *adviser*

For as long as we reasonably consider that:

- we may need to assess the suitability of any advice provided to you and/or the competency of your *adviser*
- you might legally bring a claim against your *adviser* or us

Complaint file containing a record of any claim you have brought against your *adviser* or us

For as long as we reasonably consider that you might legally bring an additional or repeat claim against your *adviser* or us

Results of anti-money laundering, identification and verification checks, including assessment of your *sanction check information*

For as long as we are required/permitted to retain this personal data based upon *our* legal and regulatory obligations

Fraud and financial crime files

For as long as we reasonably consider that:

- we are required/ permitted to retain this personal data based upon *our* legal and regulatory obligations
- they may be required in the establishment, exercise or defence of legal claims

Records of any commission or fee payments due to your *adviser* as a result of the service they have provided to you

For as long as we reasonably consider that we need to retain these for audit purposes

Records of satisfaction of any request made by you in accordance with your rights under *data protection regulation*

3 years from the date the request was satisfied

### Transfer of your information out of the EEA

We may transfer your personal data to the following which are located outside the European Economic Area (EEA) as follows:



Sesame Group India Pvt Ltd, based in India. This is a company in the same group as Sesame which is used to:

- assess the suitability of any advice provided to you and/or the competency of your adviser in compliance with our monitoring and oversight obligations
- undertake anti-money laundering, identification and verification checks, including assessment of your sanction check information

India does not have the same data protection laws as the United Kingdom and EEA. Whilst the European Commission has not given a formal decision that India provides an adequate level of data protection similar to those which apply in the United Kingdom and EEA, any transfer of your personal data will be subject to a European Commission approved contract designed to help safeguard your privacy rights and give you remedies in the unlikely event of a misuse of your personal data.

Suppliers and sub-contractors which provide services to us. If we do transfer your personal data to our suppliers and sub-contractors outside of the EEA, we will make sure that it is protected in a similar way as if it was being used in the EEA. We'll use one of these safeguards:

- the transfer will be to a non-EEA country with privacy laws that give the same protection as the EEA
- the transfer will be subject to a European Commission approved contract designed to help safeguard your privacy rights and give you remedies in the unlikely event of a misuse of your personal data
- the transfer will be to organisations that are part of Privacy Shield (this is a framework that sets privacy standards for data sent between the US and EU countries and it makes sure those standards are similar to the standards used within the EEA)
- the transfer will be subject to binding corporate rules (agreements governing transfers made between organisations within in a corporate group)
- You have a right to ask us for more information about any transfer of your personal data outside of the EEA, including the safeguards in place. To learn more, please see 'Your rights' below.



## Your rights

You have legal rights under data protection regulation in relation to your personal data. These are set out under the below headings:

- To access personal data
- To correct / erase personal data
- To restrict how we use personal data
- To object to how we use personal data
- To ask us to transfer personal data to another organisation
- To object to automated decisions
- To understand how we protect information transferred outside Europe
- To find out more about how we use personal data

We may ask you for proof of identity when making a request to exercise any of these rights. We do this to ensure we only disclose information where we know we are dealing with the right individual.

We will not ask for a fee, unless we think your request is unfounded, repetitive or excessive. Where a fee is necessary, we will inform you before proceeding with your request.

We aim to respond to all valid requests within one month. It may however take us longer if the request is particularly complicated or you have made several requests. We will always let you know if we think a response will take longer than one month. To speed up our response, we may ask you to provide more detail about what you want to receive or are concerned about.

We may not always be able to fully address your request, for example if it would impact the duty of confidentiality we owe to others, or if we are otherwise legally entitled to deal with the request in a different way.

### To access your personal information

You can ask us to confirm whether or not we have and are using your personal data. You can also ask to get a copy of your personal data from us and for information on how we process it.

### To rectify or erase your personal information

You can ask that we rectify any information about you which is incorrect. We will be happy to rectify such information but would need to verify the accuracy of the information first.

You can ask that we erase your personal data if you think we no longer need to use it for the purpose we collected it from you.

You can also ask that we erase your personal data if you have either withdrawn your consent to us using your information (if we originally asked for your consent to use your information), or exercised your right to object to further legitimate use of your information, or where we have used it unlawfully or where we are subject to a legal obligation to erase your personal data.



We may not always be able to comply with your request, for example where we need to keep using your personal data in order to comply with our legal obligation or where we need to use your personal data to establish, exercise or defend legal claims.

## To restrict or object to how we use your personal information

You can ask that we restrict our use of your personal data in certain circumstances, for example:

- where you think the information is inaccurate and we need to verify it;
- where our use of your personal data is not lawful but you do not want us to erase it;
- where the information is no longer required for the purposes for which it was collected but we need it to establish, exercise or defend legal claims; or
- where you have objected to our use of your personal data but we still need to verify if we have overriding grounds to use it.

We can continue to use your personal data following a request for restriction where we have your consent to use it; or we need to use it to establish, exercise or defend legal claims, or we need to use it to protect the rights of another individual or a company.

## To request a transfer of personal information

You can ask us to provide your personal data to you in a structured, commonly used, machine-readable format, or you can ask to have it transferred directly to another data controller (e.g. another company).

You may only exercise this right where we use your personal data in order to perform a contract with you, or where we asked for your consent to use your personal data. This right does not apply to any personal data which we hold or process outside automated means.

## To withdraw your consent

Subject to certain legal and contractual restrictions and reasonable notice, you may refuse or withdraw consent to the processing of your personal information at any time by contacting us (e.g. direct marketing or cookies). We will advise you if withdrawing your consent may affect our ability to respond to your needs.

## Automated decision making and profiling

If we made a decision about you based solely by automated means (i.e. with no human intervention), and the decision made by us produces a legal effect concerning you, or significantly affects you, you may have the right to contest that decision, express your point of view and ask for a human review. These rights do not apply where we are authorised by law to make such decisions and have adopted suitable safeguards in our decision making processes to protect your rights and freedoms.



## To obtain a copy of our safety measures for transfers outside of Europe

You can ask for a copy of, or reference to, the safeguards we have put in place when your personal data is transferred outside of the European Economic Area. We are not required to share details of these safeguards where sharing such details would affect our commercial position or create a security risk.

## Data anonymization and aggregation

Your personal data may be converted into statistical or aggregated data which can't be used to identify you, then used to produce statistical research and reports.

## How to contact us

You can contact us for more information.

If you are not satisfied with the level of information provided in this privacy notice, you can ask us about what personal data we have about you, what we use your information for, who we disclose your information to, whether we transfer it abroad, how we protect it, how long we keep it for, what rights you have, how you can make a complaint, where we got your data from and whether we have carried out any automated decision making using your personal data.

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

- email or write to our Data Protection Officer at [dataprivacy@sbg.co.uk](mailto:dataprivacy@sbg.co.uk) or Sesame Limited, Fourth Floor, Jackson House, Sibson Rd, Sale M33 7RR;
- let us have enough information to identify you, e.g. name, address, date of birth, your adviser's details;
- 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 the information to which your request relates

## Our supervisory authority

If you are not happy with the way we are handling your information, you have a right to lodge a complaint with the Information Commissioners Office ([www.ico.org.uk](http://www.ico.org.uk)).

We ask that you please attempt to resolve any issues with us before the ICO.

UK:

