O'Leary Financial Planning Privacy Notice

O'Leary Insurances Life & Pensions (Galway) Ltd T/A O'Leary Financial Planning is an Investment Intermediary & Insurance Broker authorised by with the Central Bank of Ireland.

O'Leary Financial Planning is committed to respecting and protecting your privacy and would like you to feel safe when you give us your personal details. We will always clearly identify ourselves in correspondence and on our website. We are committed to protecting and respecting your personal data. We wish to be transparent on how we process personal data and demonstrate that we are accountable with the GDPR in relation to our processing of the data.

The GDPR describes how organisations must collect, handle and store personal information. These rules apply regardless of whether data is stored electronically, on paper or on other materials. To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

Our principal business is to provide financial advice and arrange transactions specifically tailored to the requirements of our clients in relation to financial planning, estate planning, life insurance, pensions, business, mortgage, income protection, investments and savings. To provide you with relevant information and respond to your requests we sometimes request that you provide us with information about yourself. We want you to understand why we collect your data, what we do with it, who we share it with, why we share data and our legal obligations.

Privacy Notice

This Privacy Notice together with our Terms of Business explains our information processing practices and your rights regarding your personal information. It applies to personal data we collect from you, that you provide to us and personal information we source from trusted third parties, placing enhanced accountability and transparency obligations on organisations, such as ourselves when using your information. This document is being provided to you in line with our obligations under the General Data Protection Regulation (GDPR), the Data Protection Act 2018, and other relevant Data Protection legislation. A copy of our Data Protection Policy and procedures can be obtained by emailing advice@olearys.ie.

O'Leary Insurances, Life & Pensions (Galway) Ltd T/A O'Leary Financial Planning is a Data Controller under the GDPR and complies with its obligations pursuant to Data Protection legislation for the collection, use and retention of all personal data. This is not a contractual document, and it does not create any rights or obligations on either party, beyond those which already exist under data protection law.

Privacy Policy - Data Protection Principles
The GDPR is underpinned by six important principles requiring that personal data be:
1. Processed lawfully, fairly and in a transparent manner.
2. Collected for specified, explicit and legitimate purpose.
3. Adequate, relevant and limited to what is necessary.
4. Accurate and where necessary, kept up to date.
5. Retained only for as long as necessary.
6. Processed in an appropriate manner to maintain security.

The GDPR and this policy are applicable to all personal data processing functions, including those performed on customers', clients', employees', suppliers' and partners' personal data, and any other personal data the organisation processes from any source.

No third party may access personal data held by O'Leary Financial Planning without having first entered into a data confidentiality agreement, which imposes obligations on the third party no less onerous than those to which we are committed, and which gives us the right to audit compliance with the agreement.

What information we gather
To provide appropriate advice and perform transactions on your behalf with Product Producers (Insurance/Pension/Investment Companies), we need to collect and store personal data, including sensitive information, if applicable. Your personal information will be used by us to understand your needs and objectives, and to enable us to provide specialist advice to you on the products and/or services available to suit your specific requirements. This information may also be used for the performance, administration and management of contracts with Product Producers to which you are a party including pre-contract and claim stage. We are committed to ensuring that the information we collect and its use is appropriate for this purpose and does not constitute an invasion of your privacy. In terms of being contacted for marketing purposes, we have a separate marketing consent form with more specific information about our marketing practices.

How we collect your Information
To ensure that we have a complete understanding of your needs and your personal circumstances we may obtain your personal information from a number of sources:

- When you request a service or product from us, for example, if you ask us to obtain a quote or conduct a transaction on your behalf;
- We collate information at the initial point of contact with you and if applicable we update this over the course of our business with you;
- When you attend the office of O'Leary Financial Planning or events run by us, you may provide personal information directly, or it may be provided by your colleagues or employer;
- Product Providers;
- If we perform services for certain types of clients, for example, a company, we may process personal information which such clients provide to us. This may impact you, for example, you may be a director of a client company, an employee of a client, a member of your employer's pension scheme or a beneficiary under a trust. Sometimes, such customers may ask us to contact you directly;

- Persons who, on your written authority, may represent you, for example, your accountant/ solicitor;
- When you download information booklets, guides, or white papers from our website;
- When you use our website; a separate privacy notice in respect of information gathered via our website is available at www.olearys.ie;
- If you contact us with a complaint or query;
- When you engage with us over social media;
- If you apply for a position at O'Leary Financial Planning, you may provide personal information directly through an online recruitment portal, careers site or via correspondence, or it may be provided through an agency.

The Type of Information We Collect About You
The Data collected may vary depending on the Product Producer requirements. The types of data collected include but are not limited to:

- Name, address, telephone number(s), email address, gender, date of birth, occupation, PPS number (where applicable), photographic identification, nationality;
- Your financial details/financial circumstances as necessary i.e., employment, income, assets, liabilities, bank account details (where applicable);
- Your civil status;
- Other sensitive information e.g. medical information which you provide to us (where applicable);
- Information about you provided by others e.g. your spouse/partner, professional advisors, etc.;
- Information which you have consented to us using;
- Other personal information, if applicable e.g. criminal conviction data;
- Information provided when exercising your rights.

If you engage with any of our marketing activity we will ask for your name, email, phone(optional) and company name.

If you are ever concerned about your data someone in O'Leary Financial Planning has requested from you, please do not hesitate to contact our GDPR Owner, details of which are set out below.

The Legal Basis for Processing your Data
O'Leary Financial Planning will process (collect, use, store, and share) the information you provide to us only where it is justified by a legal basis to do so.

In the majority of cases, processing is justified on the basis that:

- the processing is necessary for the performance of a **contract** to which you are a party, or take steps, at your request, to enter into a contract, for example, the provision of an insurance/ investment product/financial service or where we help an employer to fulfil a contractual obligation to you under an employment contract in relation to the delivery of pension entitlements;

- the processing is necessary to comply with our **legal and regulatory obligations**, e.g. under our Central Bank authorisations, interaction with the Data Protection Commission, Financial Services & Pensions Ombudsman, Revenue, Pensions Authority, when conducting Anti-Money Laundering checks, law enforcement agencies;
- the processing is necessary to **protect your "vital interests"** in exceptional circumstances e.g. where we suspect a fraud may be in the course of perpetration;
- the processing is in our **legitimate interests**, which you may object to, such as managing our business, providing service information, conducting marketing activities, training & quality assurance, and strategic planning. This is subject to your interests and fundamental rights;
- the processing is based upon your agreement or explicit **consent** to the using of your data in a specific way. You may withdraw your consent at any time.

How We Use Your Personal Data

The following is a summary of the purposes for which we use personal information:

- Performing services for our Clients. We process personal information which our clients provide to us in order to perform our services. This may affect you, for example, where you are the employee of our client or the member of a client's pension scheme. Our client is obliged to ensure that you understand that your personal information will be disclosed to O'Leary Financial Planning.
- Administering our client engagements. We process personal information about our clients and the individual representatives of our corporate clients to carry out "Know your Client" checks and screening prior to starting a new engagement, carry out client communication, service, billing and administration and deal with client complaints and administer claims.
- Contacting and marketing to our clients and prospective clients. We process personal information about our clients and the individual representatives of our corporate clients in order to contact our clients in relation to current, future and proposed engagements, send our clients newsletters and other marketing material; invite our clients to events and to arrange and administer those events.
- Understand and assess clients' ongoing needs and offer products and services to meet those needs.
- Provide information and services as requested by clients and prospective clients.
- Determine eligibility and process applications for products and services as requested by clients and prospective clients.
- Conduct processing necessary to fulfil other contractual obligations for our clients.
- Process, administer encashment/claims and where applicable manage claim disputes.
- Send clients important information about our services, changes to our policies, terms & conditions and other administrative functions.
- Execute monitoring and training.
- Conduct data analysis.
- Prevent, detect and investigate crime, including fraud, money laundering, analyse and manage other commercial risks.
- Develop new services.
- Market products and services - subject to the appropriate consent.

- Carry out market research and analysis of our customer base and other individuals whose personal information we collect as explained in this Privacy Notice.
- Manage our infrastructure and business operations and comply with internal policies and procedures including those relating to auditing, finance and accounting, billing and collections, IT systems, data and website hosting, data analytics, business continuity, records, document, and print management.
- Resolve complaints and handle requests for data access or correction.
- Comply with applicable laws and regulatory obligations (including laws outside your country of residence) such as those relating to anti-money laundering and anti-terrorism, comply with legal process, and respond to requests from public and governmental authorities (including those outside your country of residence).

If we wish to use your personal information for a purpose which is not compatible with the purpose for which it was collected, we will request your consent. In all cases, we balance our legal use of your personal information with your interests, rights, and freedoms in accordance with applicable laws and regulations to make sure your personal information is not subject to unnecessary risk.

Special Categories of Personal Data
If it is deemed necessary to collect any special categories of personal data, such as health details, we will ensure we only process what is necessary and proportionate for the purposes of providing an insurance product or life assurance, an occupational pension, retirement annuity contract or any other pension arrangement.

Retention
How long we retain your personal information depends on the purpose for which it was obtained and its nature. We are committed to ensuring that the information we collect, and use is appropriate for the purpose it was acquired for and does not constitute an invasion of your privacy. We will endeavour to only hold data for as long as is necessary unless otherwise required under applicable law.

Personal data will be processed in accordance with our Retention Schedule. This Retention Schedule is subject to legislation and regulatory rules we must follow, set by authorities such as the Central Bank of Ireland, Office of the Data Protection Commission, Financial Services & Pensions Ombudsman. The timescales may also depend on the type of financial or insurance, investment, or pension product provided to you. Personal data may be held in addition to periods as set down by the aforesaid criteria depending on individual business needs. A copy of our Retention Policy can be obtained by emailing the address below.

Who we Are Sharing Your Data With?
In our capacity as your financial intermediary, the information you supply to us may be shared in confidence with:

- trusted third party service providers appointed by O'Leary Financial Planning to help us to process data, arrange transactions, and oversee our business. Examples include IT service providers who manage our IT office systems and customer relationship management systems;
- trusted Product Providers with whom you may wish to enter into a contract with;

- any agent authorised by you to act on your behalf; and
- regulatory bodies.

Any third parties that we may share your data with are contractually obliged to keep your details secure, and to use them only to fulfil the service they provide.

Transfer of Information Outside the European Economic Area (EEA)
It is our aim to retain any information which we hold within the EEA. However, given the nature of our business relationships with certain product providers/data processors, such providers/processors may have legitimate business reasons to transfer information outside the EEA. The product providers/data processors with which we arrange business on your behalf are obliged to comply with the provisions of the GDPR in relation to the transfer of data within or outside the EEA.

Data Security
O'Leary Financial Planning's intent is to strictly protect the security of your personal information. We have appropriate measures in place to protect your data from misuse, loss, unauthorised access or disclosure, alteration, or destruction. We have taken appropriate steps to safeguard and secure information we collect online, including the use of encryption when collecting or transferring sensitive data. Occasions will arise when customer information is passed outside O'Leary Financial Planning to our trusted third-party suppliers, but they will only act upon instruction from the O'Leary Financial Planning in order to perform the services required. They are contractually bound to maintain the confidentiality of personal information and may not use the information for any unauthorised purpose.

Data Subject Rights
O'Leary Financial Planning ensures that we facilitate data subject's rights in line with our data protection policy and the subject access request procedure outlined in that policy. 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 in a structured, commonly used and machine-readable format.
- 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 you have a right to restrict the processing of your personal data.
- 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 O'Leary Financial Planning refuses 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 below.
- To sue for compensation if you suffer damage by any contravention of the GDPR.
- To request the Data Protection Commissioner to assess whether any provision of the GDPR has been contravened.

As we have indicated in the processing of your personal data, should there be a third party involved, all of the above requests will be forwarded to the relevant third party.

Data Subject Access Requests
All individuals who are the subject of personal data held by O'Leary Financial Planning are entitled to:

- Ask what information the company holds about them and why;
- Ask how to gain access to it;
- Be informed about how to keep it up to date;
- Be informed about how the company is meeting its data protection obligations.

Should an Individual contact the company requesting this information, this is called a Subject Access Request. Subject Access Requests from individuals should be made by email, if possible, addressed to the GDPR Owner at dataprotectionoffice@olearys.ie. The GDPR Owner can supply a standard request form, although individuals do not have to use this.

We will respond to your request without undue delay and, in any event, within one month of receiving your request. Where permitted under the GDPR, this period may be extended by up to a further two months if the request is particularly complex or numerous. If an extension is required, we will inform you within one month of receiving your request and explain the reasons for the delay.

We will always verify the identity of anyone making a subject access request before handing over any information.

Withdrawal of 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.

Implications of not Providing Your Data
If you do not provide the relevant information, we may not be able to:

- provide the requested products or services to you;
- continue to provide and/or renew existing products or services;
- assess suitability; and
- where relevant, give you a recommendation for a financial product or service which you require.

Up to Date Information
To ensure our records are up to date and accurate or should you wish to amend any personal records, please contact us at advice@olearys.ie.

Marketing
All marketing material you receive from O'Leary Financial Planning has an Opt-Out facility should you no longer wish to receive direct marketing from us. You can also contact us at advice@olearys.ie.

Complaints
In the event that you wish to make a complaint about how your personal data is being processed by O'Leary Financial Planning or third parties as described above, or how your complaint has been handled, you have the right to lodge a complaint with the Data Protection Manager of O'Leary Financial Planning and/or with the Data Protection Commission. See below.

Responsibilities
The Data Protection Office & O'Leary Financial Planning is responsible for ensuring this Privacy Notice is correct and that mechanisms exist such as having the Privacy Notice on O'Leary Financial Planning's website to make all data subjects aware of the contents of this Notice prior to O'Leary Financial Planning's commencing collection of personal data.

Contacting Us
For a copy of our full Data Protection Policy or if you have any questions or concerns about our privacy notice or practices, please contact us by email at dataprotectionoffice@olearys.ie.

O'Leary Financial Planning may modify or update this privacy notice at any time without prior notice. You can check the "Last Updated" date below to see when the notice was last changed. We encourage you to check this notice often so that you can continue to be aware of how we are protecting your personal information. Your continued use of the website constitutes your consent to the contents of this privacy notice, as it may be modified from time to time.

The Data Protection Office is the primary point of contact at O'Leary Financial Planning for any queries regarding your personal information & can be contacted by:

Email: dataprotectionoffice@olearys.ie
Address: The Data Protection Office, O'Leary Financial Planning, Liosban Business Park, Tuam Road, Galway H91 AK8V
Tel: 091 778678

Data Protection Commissioner https://www.dataprotection.ie/en/contact/how-contact-us

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