

# **HOLISTIC ESTATE PLANNING SOLUTIONS LIMITED**

## **(“EPS”)**

### **PRIVACY POLICY**

#### **1. ABOUT THIS POLICY**

- We appreciate your interest in us and your visit to this website. Your privacy is important to us and we want you to feel comfortable with how we use your personal information.
- This policy sets out how we handle your personal information, including when and why it is collected, used and disclosed and how it is kept secure.
- You will find our contact details at the end of this policy which you can use if you have any questions, including how to update or access your personal information or to make a complaint.
- This policy may change, so please check this page from time to time to ensure that you're happy with any changes. Please see further changes to this policy in Section 11.
- This policy was last updated on 21st May 2018.

#### **2. WHO WE ARE?**

- EPS is an independent will writing and estate planning company, regulated by the Institute of Professional Willwriters and is the 'controller' of your personal information. A 'controller' is a company that decides why and how your personal information is processed.
- Where this policy refers to "we", "our" or "us" below, unless it mentions otherwise, it's referring to EPS as the controller of your personal information.

#### **3. HOW AND WHAT PERSONAL INFORMATION WE COLLECT**

We may collect and process the following personal information about you:

Personal information you give to us: This is information about you that you give to us by entering information via our website or our social media pages or by corresponding with us by phone, email or otherwise and is provided entirely voluntarily. The information you give to us includes your name, contact details (such as phone number, email address and address).

Personal information we collect about you: We may automatically collect the following personal information: our web servers store as standard details of your browser and operating system, the website from which you visit our website, the pages that you visit on our website, the date of your visit, and, for security reasons, e.g. to identify attacks on our website, the Internet protocol (IP) address assigned to you by your internet service. We collect some of this information using cookies – please see Cookies in Section 9.2 for further information. We may also collect any personal information which you allow to be shared that is part of your public profile on a third party social network.

Personal information we may receive from other sources: We obtain certain personal information about you from sources outside our business or other third-party companies; the personal information received is as described in the two paragraphs above.

Please see further "How we use your personal information" in Section 4 for details of the purposes for which we use the personal information we obtain from these sources and the legal basis on which we rely to process that information. The remaining provisions of this policy also apply to any personal information we obtain from these sources.

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

Where you have provided CONSENT

We may use and process your personal information where you have consented for us to do so for the following purposes:

- to supply brochures and other material you have specifically requested from us;
- to contact you via email, text message, post or telephone with details of our services.
- You may withdraw your consent for us to use your information in any of these ways at any time. Please see "Withdrawing your consent" in Section 8.4 for further details.
- Where required to perform a CONTRACT with you

We may use and process your personal information where it is necessary for the performance of a contract with you or in order to take steps at your request before entering into a contract with you.

#### **Where required to comply with our LEGAL OBLIGATIONS**

We will use your personal information to comply with our legal obligations including: (i) to assist relevant taxation authorities, the Police, or any other public authority or criminal investigation body; (ii) to identify you when you contact us; and (iii) to verify the accuracy of data that we hold about you.

#### **Where there is a LEGITIMATE INTEREST**

We may use and process your personal information where it is necessary for us to pursue our legitimate interests as a business for the following purposes:

- for analysis, and profiling to inform our marketing strategy, and to enhance your visitor experience;
- for market research in order to continually improve the services that we deliver to you;
- to administer our websites and for internal operations, including troubleshooting, testing, statistical purposes;
- for marketing activities (other than where we rely on your consent) e.g. to tailor marketing communications or send targeted marketing messages via social media and other third-party platforms;
- for the prevention of fraud and other criminal activities;
- to correspond and communicate with you;
- for network and information security in order for us to take steps to protect your information against loss or damage, theft or unauthorised access;

- to comply with a request from you in connection with the exercise of your rights (for example where you have asked us not to contact you for marketing purposes, we will keep a record of this on our suppression lists in order to be able to comply with your request);
- for the purposes of corporate restructure or reorganisation or sale of our business or assets;
- for efficiency, accuracy or other improvements of our databases and systems e.g. by combining systems or consolidating records we hold about you;
- to enforce or protect our contractual or other legal rights or to bring or defend legal proceedings; and
- for general administration including managing your queries, complaints or claims.

## **5. OTHERS WHO MAY RECEIVE OR HAVE ACCESS TO YOUR PERSONAL INFORMATION**

### **Associated companies**

We may share your information with other companies within the EPS family. They may use your personal information in the ways set out in "How we use your personal information" in Section 4, in connection with services that complement our own range of services. Our preferred partner law firm, Acer Prime Law are the only other company that falls into this category as of August 2019.

### **Our suppliers and service providers**

We may disclose your information to our third-party service providers, agents, subcontractors and other organisations for the purposes of providing services to us or directly to you on our behalf. Such third parties may include cloud services providers (such as hosting and email management) or advertising agencies, administrative services or other third parties who provide services to us.

When we use third party service providers, we only disclose to them any personal information that is necessary for them to provide their service and we have a contract in place that requires them to keep your information secure and not to use it other than in accordance with our specific instructions.

### **Third parties who provide products and services**

We work closely with various third parties to bring you a range of services which are complimentary to ours.

These third-party providers may share your information with us which we will use in accordance with this policy. In some cases, they will be acting as a controller of your information and therefore we advise you to read their privacy policy.

### **Other ways we may share your personal information**

We may transfer your personal information to a third party as part of a sale of some or all of our business and assets to any third party or as part of any business restructuring or reorganisation. We may also transfer your personal information if we're under a duty to disclose or share it in order to comply with any legal obligation to detect or report a crime, to enforce or apply the terms of our contracts or to protect the rights, property or safety of our visitors and clients

However, we will always take steps with the aim of ensuring that your privacy rights continue to be protected.

## **6. WHERE WE STORE YOUR PERSONAL INFORMATION OUTSIDE THE EEA**

- All information you provide to us may be transferred to countries outside the European Economic Area (EEA). By way of example, this may happen where any of our servers or those of our third party service providers are from time to time located in a country outside of the EEA. These countries may not have similar data protection laws to the Isle of Man or the UK.
- If we transfer your information outside of the EEA in this way, we will take steps to ensure that appropriate security measures are taken with the aim of ensuring that your privacy rights continue to be protected as outlined in this policy. These steps include imposing contractual obligations on the recipient of your personal information or ensuring that the recipients are subscribed to 'international frameworks' that aim to ensure adequate protection. Please contact us using the details at the end of this policy for more information about the protections that we put in place, and to obtain a copy of the relevant documents.
- If you use our services whilst you are outside the EEA, your information may be transferred outside the EEA in order to provide you with those services.

## **7. HOW LONG WE KEEP YOUR PERSONAL INFORMATION FOR**

- If we collect your personal information, the length of time we retain it is determined by a number of factors including the purpose for which we use that information and our obligations under other laws.
- We do not retain personal information in an identifiable format for longer than is necessary.
- We may need your personal information to establish, bring or defend legal claims, in which case we will retain your personal information for 7 years after the last occasion on which we have used your personal information in one of the ways specified in "How we use your personal information" in Section 4.

The only exceptions to this are where:

- the law requires us to hold your personal information for a longer period, or delete it sooner;
- you exercise your right to have the information erased (where it applies) and we do not need to hold it in connection with any of the reasons permitted in this section 7, or because we are required under the law (see further Erasing your personal information or restricting its processing in Section 8.6); and
- in limited cases, the law permits us to keep your personal information indefinitely provided we put certain protections in place.

## **8. YOUR RIGHTS**

Your 'data subject' rights:

You have a number of rights in relation to your personal information under data protection law. In relation to certain rights, we may ask you for information to confirm your identity and, where applicable, to help us to search for your personal information. Except in rare cases, we will respond to you within 30 days after we have received this information or, where no such information is required, after we have received your request.

## **Accessing your personal information**

You have the right to ask for a copy of the information that we hold about you by emailing or writing to us at the address at the end of this policy. We may not provide you with a copy of your personal information if this concerns other individuals or we have another lawful reason to withhold that information.

## **Correcting and updating your personal information**

The accuracy of your information is important to us and we are working on ways to make it easier for you to review and correct the information that we hold about you.

In the meantime, if you change your name or address/email address, or you discover that any of the other information we hold is inaccurate or out of date, please let us know by contacting us in any of the details described at the end of this policy.

## **Withdrawing your consent**

Where we rely on your consent as the legal basis for processing your personal information, as set out under "How we use your personal information" in Section 4, you may withdraw your consent at any time by contacting us using the details at the end of this policy. If you would like to withdraw your consent to receiving any direct marketing to which you previously opted-in, you can also do so using our unsubscribe tool. If you withdraw your consent, our use of your personal information before you withdraw is still lawful.

## **Objecting to our use of your personal information and automated decisions made about you.**

Where we rely on our legitimate business interests as the legal basis for processing your personal information for any purpose(s), as out under "How we use your personal information" in Section 4, you may object to us using your personal information for these purposes by emailing or writing to us at the address at the end of this policy. Except for the purposes for which we are sure we can continue to process your personal information, we will temporarily stop processing your personal information in line with your objection until we have investigated the matter. If we agree that your objection is justified in accordance with your rights under data protection laws, we will permanently stop using your data for those purposes. Otherwise we will provide you with our justification as to why we need to continue using your data.

You may object to us using your personal information for direct marketing purposes and we will automatically comply with your request. If you would like to do so, please use our unsubscribe tool.

## **Erasing your personal information or restricting its processing**

In certain circumstances, you may ask for your personal information to be removed from our systems by emailing or writing to us at the address at the end of this policy. Unless there is a reason that the law allows us to use your personal information for longer, we will make reasonable efforts to comply with your request.

You may also ask us to restrict processing your personal information in the following situations:

- where you believe it is unlawful for us to do so,

- you have objected to its use and our investigation is pending or you require us to keep it in connection with legal proceedings.
- In these situations, we may only process your personal information whilst its processing is restricted if we have your consent or are legally permitted to do so, for example for storage purposes, to protect the rights of another individual or company or in connection with legal proceedings.

### **Transferring your personal information in a structured data file**

Where we rely on your consent as the legal basis for processing your personal information or need to process it in connection with your contract, as set out under Section 4 "How we use your personal information", you may ask us to provide you with a copy of that information in a structured data file. We will provide this to you electronically in a structured, commonly used and machine readable form.

You can ask us to send your personal information directly to another service provider, and we will do so if this is technically possible. We may not provide you with a copy of your personal information if this concerns other individuals or we have another lawful reason to withhold that information.

### **Complaining to the data protection regulator**

You have the right to complain to the Isle of Man Information Commissioner if you are concerned about the way we have processed your personal information.

## **9. SECURITY / COOKIES / LINKS / SOCIAL PLUGINS**

Security measures we put in place to protect your personal information

We use technical and organisational security measures to protect the personal information supplied by you and managed by us against manipulation, loss, destruction, and access by third parties. Our security measures are continually improved in line with technological developments.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal information, we cannot guarantee the security of your information whilst in transit to our website and any transmission is at your own risk.

In the event we have given (or where you have chosen) a password which enables you to access an account, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

### **Use of 'cookies'**

'Cookies' are small pieces of information sent to your device and stored on its hard drive to allow our websites to recognise you when you visit.

### **Links to other websites**

Our website may contain links to other websites run by other organisations which we do not control. This policy does not apply to those other websites and Apps, so we encourage you to read their privacy statements. We are not responsible for the privacy policies and practices of other websites and Apps (even if you access them using links that we provide) and we provide links to those websites solely for your information and convenience. We specifically disclaim responsibility for their content, privacy practices and terms of use, and we make no endorsements, representations or promises about their accuracy, content or thoroughness. Your disclosure of personal information to third party websites is at your own risk.

In addition, if you linked to our website from a third party website, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party website and recommend that you check the policy of that third party website.

## **Social plugins**

We use so-called social plugins (buttons) of social networks such as Facebook, LinkedIn and Twitter.

When you visit our website, these buttons are deactivated by default, i.e. without your intervention they will not send any data to the respective social networks. Before you are able to use these buttons, you must activate them by clicking on them. They then remain active until you deactivate them again or delete your cookies. Please see Cookies in Section 9.2 for further details regarding our use of cookies.

After their activation, a direct link to the server of the respective social network is established. The contents of the button are then transmitted from the social network directly to your browser and incorporated in the website.

After activation of a button, the social network can retrieve data, independently of whether you interact with the button or not. If you are logged on to a social network, the network can assign your visit to the website to your user account. A social network cannot assign a visit to websites operated by our other group companies unless and until you activate the respective button there as well.

If you are a member of a social network and do not wish it to combine data retrieved from your visit to our websites with your membership data, you must log out from the social network concerned before activating the buttons.

We have no influence on the scope of data that is collected by the social networks through their buttons. The data use policies of the social networks provide information on the purpose and extent of the data that they collect, how this data is processed and used, the rights available to you and the settings that you can use to protect your privacy.

## **10. MARKETING**

- We may collect your preferences to send you marketing information directly from us by email/SMS (where applicable) but will only do so if you have consented to receiving such marketing information directly from us.
- We may contact you with targeted advertising delivered online through social media and platforms (operated by other companies) by using your personal information, or use your personal information to tailor marketing to improve its relevance to you, unless you object.

- We will only share your personal information with recommended third parties for them to contact you with marketing information about their services where you have indicated that you would like us to do so. Once shared, the relevant third party's privacy policy will apply to their processing of your personal information, not ours. If you'd like to opt-out of receiving marketing from a third party after providing your consent, you can do so at any time by contacting the relevant third party directly.
- From time to time, we may ask you to refresh your marketing preferences by asking you to confirm that you consent to continue receiving marketing information from us.
- You have the right to opt-out of our use of your personal information to provide marketing to you in any of the ways mentioned above. Please see "Withdrawing your Consent" in Section 8.4 and Objecting to our use of your personal information and automated decisions made about you in Section 8.5 above for further details on how you can do this.

## **11. CHANGES TO THIS POLICY**

We may review this policy from time to time and any changes will be notified to you by posting an updated version on our website and/or by contacting you by email. Any changes will take effect 7 days after the date of our email or the date on which we post the modified terms on our website, whichever is the earlier. We recommend you regularly check for changes and review this policy when you visit our website. If you do not agree with any aspect of the updated policy, you must promptly notify us and cease using our services.

## **12. CONTACT US**

If you have any questions, suggestions or complaints about the processing of your personal information or wish to contact us to amend/update your marketing preferences with us, please contact our Data Protection Officer at:

Holistic Estate Planning Solutions Limited  
Suite A Southgate Two, 321 Wilmslow Road, Cheadle SK8 3PW  
Email: [info@estplan.co.uk](mailto:info@estplan.co.uk)  
Telephone: +44 1625 540033