

Privacy Notice

Introduction

Clinch Wealth Management Ltd (“Clinch Wealth Management”) is committed to protecting and respecting your privacy. We wish to be transparent on how we process your data and show you that we are accountable with EU General Data Protection Regulation - GDPR in relation to not only processing your data but ensuring you understand your rights as a client.

It is the intention of this Privacy Notice to explain to you the information practices of Clinch Wealth Management in relation to the information we collect about you.

For the purposes of the GDPR the Data Controller is:

- Clinch Wealth Management
- Contact details of Clinch Wealth Management:
 - Email: info@clinch.ie
 - Phone: 01 441 9900
 - Address: No.5 Northumberland Road, Ballsbridge, Dublin 4 D04 PD25
- When we refer to ‘we’ it is Clinch Wealth Management

Please read this Privacy Notice carefully as this sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us.

Who are we?

Clinch Wealth Management provides a personal wealth management service to some of Ireland's leading professionals and entrepreneurs. We provide holistic advice on pensions, investments and inheritance planning for private clients. All of our advice is given in the context of a tailored financial plan.

The GDPR Owner and Data Protection Representatives can be contacted:

- Email: info@clinch.ie
- Phone: 01 441 9900
- Address: No.5 Northumberland Road, Ballsbridge, Dublin 4 D04 PD25

How do we collect your information and what information do we collect?

The personal information we collect varies depending upon the nature of our services. We will endeavour to provide you with an overview of those categories of personal data our organisation collects and our purpose for using that data.

Our organisation collects personal data in the following ways, if you:

- request a service from us e.g. financial advice on investments, pensions and inheritance planning
- contact us with a complaint or query.

Investments may fall as well as rise in value and income may fluctuate in accordance with market conditions and taxation arrangements. Clinch Wealth Management Ltd has taken reasonable care to ensure the accuracy of information herein but does not guarantee the accuracy of such information. Clinch Wealth Management Ltd is not a tax or legal advisor and cannot accept any responsibility for the tax or legal affairs of its clients so clients are advised to seek independent tax and legal advice.

Clinch Wealth Management Ltd is regulated by the Central Bank of Ireland. Company Registration No. 365742
Directors: Tom Clinch, Andrew O’Donohoe, Michele McGuirk



What information do we collect?

The information we collect about you includes the following:

1.	Contact and identifying information , e.g., name, address, contact details; email, mobile & landline.
2.	Unique identifiers e.g. <ul style="list-style-type: none">• PPS number - the reason why we collect this will be at the request of the life company providing the product/service• Pension scheme or insurance policy numbers – the reason why we collect this will be as part of our Fact Find process and to provide advice on these products.
3.	Demographic details , age, gender, marital status, lifestyle and insurance requirements; date of birth, dependents, photo ID, as well as collecting personal information about you. We may also use personal information about other people, for example family members you wish to insure on a policy e.g. your children or spouse.
4.	Family and Beneficiary Data , e.g., dependants, next of kin or nominated beneficiaries, Power of Attorney, Enduring Power of Attorney or details of Solicitor, Tax Advisor and/or Accountant.
5.	Employment information e.g., role, employment status (such as full, part time or contract), salary information, employment benefits and employment history. This information is necessary when completing our Fact Find process.
6.	Publicly available sources: e.g., Information about you in the public domain such as Director information from the Companies Registration Office.
7.	Health information such as information about your health status and medical assessment outcomes. We collect medical information relating to personal habits (e.g., smoking and consumption of alcohol) and medical history. We may also process certain special categories of information, for example information about your personal characteristics (biometric information) or disability information, as required by life companies for protection cover products and for Fact Find purposes.
8.	Pensions and Insurance Benefits information such as current benefits, pension entitlement information, date of retirement and any relevant matters impacting your benefits such as voluntary contributions and Pension Adjustment Order (PAO).
9.	Financial details e.g., bank account details, salary, tax code, third-party deductions, bonus payments, benefits and entitlement data.
10.	Searches that we undertake in relation to sanctions and money laundering via Dow Jones.

When our organisation collects sensitive personal data as defined within the GDPR, we will ensure that we require this information and we have your explicit consent and/or authorisation prior to our collection. Please see the further information contained in this Privacy Notice that outlines special categories of personal data.

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How do we use your personal data?

Your Personal Data will be used to enable us to fulfil our contractual obligations in relation to your request for investment, protection, pension products, independent financial advice or quotes.

1.	Performing services for our clients and prospective clients – when you require pension/investment/protection products, we use your data to enable us to provide the required product.
2.	Statutory and other regulatory requirements – we are required to carry out various obligations which include but not limited to: <ul style="list-style-type: none"> • AML/Sanction checking • Knowing your customer “Fact Find” • Adherence to the Consumer Protection Code
3.	To contact you if required or to respond to any communications that you might send to us.
4.	Carry out our obligations arising from any contracts entered between you and us and to provide you with the information, products and services that you request.
5.	Provide professional services we provide a personal wealth management service. We provide holistic advice on pensions, investments and inheritance planning for private clients.
6.	Handling complaints received in writing by email or to the address below.
7.	To notify you about changes to our service as appropriate.

Legal Basis

We need to ensure that we process your personal data lawfully. We rely on the following legal grounds to collect and use your personal data.

Performance of a contract	When we enter a contract with you, we will collect and use your personal data to enable us to fulfil that service.
Legal obligation	The use of some of your personal data is necessary for us to meet our legal obligations e.g., pension contributions for Revenue certificates, regulatory purposes to the Central Bank and other regulatory authorities.
Consent	Sometimes we may rely on consent as a legal basis for processing your information. This is used when we need to assess risk relating to an insurance policy for you. We share this information with other third parties where it is necessary to manage these services provided to you – these services include insurance underwriters, reinsurer and other insurance providers. Sometimes if you refuse to provide information that we reasonably require to provide the services, we may be unable to offer you the services and/or we may terminate the services provided with immediate effect.
Legitimate interests	Where we rely on this legal basis to collect and use your personal information, we shall take appropriate steps to ensure the processing does not infringe the rights and freedoms conferred to you under the applicable data privacy laws.

If you require further information on any of the above basis for processing your data, please do not hesitate to contact us.

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How we share your data

When required, we may make your information available to third parties with whom we have a relationship, where that third party is providing services on our behalf. We will only provide those third parties (data processors) with information that is necessary for them to perform the services. We will take measures to protect your information, such as putting in place confidentiality agreements.

1.	Insurance Partners where we need to manage the services provided to you, such as Product Providers and insurance underwriters, reinsurers, and loss adjuster. You can refer to their privacy statements on their website for more information about their privacy practices.
2.	Legal advisers, loss adjusters, and claims investigators where necessary to investigate, exercise or defend legal claims, insurance claims or other claims of a similar nature.
3.	Medical professionals , e.g., where you provide health information in connection with a claim against your insurance policy; or when we are providing a quote for insurance.
4.	EU Law enforcement bodies , when required to do so by law and/or regulation, or another legal request.
5.	Public authorities, regulators and government bodies , where necessary for us to comply with our legal and regulatory obligations, or in connection with an investigation of suspected or actual illegal activity.
6.	Third-party processors: We outsource our processing operations to suppliers that process personal information on our behalf. Examples include IT service providers who manage our IT and back-office systems and telecommunications networks, accounting and CRM providers. These processing operations remain under our control, and we have data processing agreements in place with all our third-party processors to ensure all processing is carried out in accordance with our security standards and GDPR.
7.	Internal and external auditors where necessary for the conduct of company audits or to investigate a complaint or security threat.
8.	On the sale or reorganisation of our business whether by asset or share disposal or other transaction relating to our business.

Transferring personal data outside of Ireland

If we transfer personal data to a country outside of the EEA (referred to in the GDPR as ‘third country,’) we will ensure it is done lawfully, i.e. there is an appropriate “level of protection for the fundamental rights of the data subjects”. We will therefore ensure that either the EU Commission has granted an adequacy decision in respect of the third country, or appropriate specified safeguards have been put in place, (e.g., Binding Corporate Rules (BCRs) or Standard Contractual Clauses (SCCs)).

Security

The security of your personal data is important to us. We have implemented appropriate technical and organisational measures to ensure a level of security appropriate to the risk. We have processes in place to protect your personal data from loss, unauthorised access, misuse, alteration and destruction.

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Retention

Clinch Wealth Management shall not keep personal data in a form that permits identification of data subjects for a longer period than is necessary.

The retention period for each category of personal data will be set out in our Retention Schedule along with the criteria used to determine this period, including any statutory obligations we have. Should you require further information we would be happy to provide it.

We confirm personal data will be disposed of securely.

Data Subjects Rights:

Clinch Wealth Management will facilitate your rights in line with our data protection policy and the Subject Access Request procedure. This is available on request.

Your rights as a data subject

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.
- **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 (the erasure of such data will be dependent on our other legal obligations, and whether the data is subject of legal privilege).
- **Right to restriction of processing** – where certain conditions apply to have a right to restrict the processing.
- **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.**
- **Right to make a complaint** – if we refuse your request under rights of access, we will provide you with a reason as to why.

All of the above requests will be forwarded on, should there be a third party involved, as we have indicated in the processing of your personal data.

Complaints

In the event that you wish to make a complaint about how your personal data is being processed by Clinch Wealth Management or how your complaint has been handled, you have the right to lodge a complaint with our Data Protection Representatives or GDPR Owner.

You may also lodge a complaint with the Data Protection Commission (DPC) in Ireland, whose details are:

Data Protection Commission
21 Fitzwilliam Square South,
Dublin 2.
D02RD28
Web: www.dataprotection.ie
Email: info@dataprotection.ie

See website for updated contact details to reach the appropriate section within the DPC.

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Failure to provide further information.

If we are collecting your data for a contract and you cannot provide this data, the consequences of this could mean the contract cannot be completed or details are incorrect. When you fail to provide us with information we require to fulfil our obligations to you, we may be unable to offer our services to you.

Profiling – automatic decision making

Clinch Wealth Management do not carry out Client Profiling or engage in automatic decision making.

Special Categories of personal data

Special categories of data are sensitive in relation to your fundamental rights and freedoms and therefore require specific protection when processed as these could create significant risks to the rights and freedoms of individuals.

If we collect any special categories of personal data, such as health data, we will either obtain your explicit consent or we will adhere to the Data Protection Act 2018. This Act allows us to process special categories of personal data for insurance and pension purposes. We will ensure we have suitable and specific measures in place to safeguard the rights and freedoms of you and the processing of your data. These measures relate to the below:

- a policy of insurance, life assurance or mortgage protection
- a policy of health insurance or health related insurance
- an occupational pension, a retirement annuity contract or any other pension arrangement

Joint Accounts

Clients who have sole and joint policies, living at the same address, will receive information relating to these policies in the one communication unless we receive a written instruction from either client to indicate otherwise.

Email

We will take one email address provided by either party of two clients that are married, in a legal partnership or have at least one joint policy or account, to be an acceptable correspondence address for data on either or both parties, unless we are provided with two email addresses or instructed otherwise.

Contact Us

Your privacy is important to us. If you have any comments or questions regarding this notice, please contact us on + 353 (01) 4419900, email us at info@clinch.ie or by post to Clinch Wealth Management Ltd, No.5 Northumberland Road, Ballsbridge, Dublin 4 D04 PD25.

Privacy Notice changes

Clinch Wealth Management may change this Privacy Notice from time to time. When such a change is made, we will post a revised version online. Changes will be effective from the point at which they are posted. It is your responsibility to review this Privacy Notice periodically, so you are aware of any changes. By using our services, you agree to this Privacy Notice.

Effective from 25th May 2018

Updated July 2021

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