



7 St James Terrace Malahide Co. Dublin T + 353 1 845 4361
e-mail: info@ermfinancialservices.ie web: www.ermfinancialservices.ie

ERM Financial Services – General Data Protection Policy

Introduction

ERM Financial Services collects, uses, shares and holds (processes) personal data about current, past and prospective clients, suppliers, employees and others in the course of its business activities. The purpose of this document is to provide a concise policy statement regarding the Data Protection obligations of the company. This includes its obligations to comply with the requirements of GDPR and the relevant Irish legislation, namely the Data Protection Acts of 1988-2018.

We take our responsibility to protect personal data seriously and are committed to complying with our obligations in this regard. The purpose of this Data Protection Policy is to:

- 1) Ensure the company protects the rights of its clients, employees and business partners;
- 2) Describes the personal data it processes and how it processes it;
- 3) Ensures it complies with Data Protection Law and allows it to demonstrate compliance with the GDPR.

Scope

This policy applies to ERM Financial Services as well as all individuals who work for or on behalf of the company. The policy covers both personal and sensitive personal data and both categories will be equally referred to as Personal Data in this policy unless specifically stated otherwise. The policy applies to personal data held in manual and automated form.

The Data Controller

Euro Risk Management (Insurances) Ltd. trading as ERM Financial Services, whose registered address is 7 St. James Terrace, Malahide, Co. Dublin, is the company that controls and is responsible for the personal data collected.

Directors: Liam B. Kilkenny (Chairman), Eamonn G.Griffin (Managing)
Company Reg No. 202240

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The Personal Data We Process

In the course of our daily organisational activities we process personal data of past, current and prospective data subjects including:

- Clients

We collect certain information from our clients in order to be able to provide them with appropriate financial services. Due to the nature of financial advice we may also process information about individuals who are connected to our clients such as dependents, employees, directors etc. The client information we obtain varies depending on the financial service we provide but it may include and is not limited to; contact details, gender, date of birth, financial information (including savings and investments), employment status and information, risk appetite, salary, health information, dependents personal information (age etc), assets and liabilities, unspent motor or non motoring convictions, marketing preferences.

- Employees

We collect and process information about our employees for the purpose of fulfilling our obligations as employers. This information includes; CV and application information, qualifications and experience, interview notes, references, performance information, training records, salary details, financial information (bank details), holiday, sick leave, maternity leave, health information as required, next of kin and other communications.

- Suppliers

We keep records of our suppliers on file. This may include names, job titles, contact details, invoices, bank details etc.

- Other Business/Marketing Contacts

We work closely with our business partners to deliver the right sort of financial service to our clients. The majority of the data we hold in relation to these contacts is commercial in nature, but some personal data may be retained such as data relating to individuals working at other organisations e.g. brokers, agents, accountants, solicitors including contact details (email, phone number) etc. We may also process personal data relating to our suppliers e.g. facilities, security, cleaning and storage contacts.

Further information about the types of personal data the business holds is contained within appendix 1.

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How ERM Financial Services Uses Personal Data

The purpose and method by which we process personal data may vary depending on our relationship with the data subject. The primary purposes for using personal data include:

- Provision of insurance products, financial products and financial planning advice;
- Responding to enquiries, complaints and feedback;
- Processing transactions;
- Activities involved with managing employees including payroll, recruitment, performance management, leave, staff circulars;
- Research and analysis;
- Training and information security e.g. quality checking and phone call monitoring;
- Provide marketing information in accordance with your preferences;
- Manage business operations in line with internal policies and procedures;
- Respond to requests for data access, correction and other personal data rights;
- Comply with applicable laws and regulatory obligations e.g. tax, employee law and legal obligations;
- Establish and defend legal rights to protect the business.

In accordance with Data Protection legislation, this data must be acquired and managed fairly. Not all staff members will be expected to be experts in Data Protection legislation. However, we are committed to ensuring that we have enough awareness of the legislation to be able to anticipate and identify a Data Protection issue, should one arise. In such circumstances, staff must ensure that the Data Protection Manager is informed, in order that appropriate corrective action is taken.

Third Party Processors

In the course of our role as Data Controller, we engage a number of Data Processors to process Personal Data on our behalf. In each case, a formal, written contract is in place with the Processor, outlining their obligations in relation to the Personal Data, the specific purpose or purposes for which they are engaged, and the understanding that they will process the data in compliance with Irish Data Protection legislation. We select our third party processors carefully.

These Data Processors include:

- Financial Services providers e.g. financial institutions, life assurance companies, health insurance

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providers etc.

- Cloud Storage – Applied Systems
- Sage
- Microsoft Office
- Thesaurus
- Applied relay
- Welltrack

Other recipients

For some processing activities, we are required to disclose data to 3rd parties who are not data processors acting on our behalf or data controllers on whose behalf the company is working.

These categories of recipients include

- Tax Authorities (e.g. Irish Revenue Commissioners)
- Law enforcement (where required for the investigation, detection or prosecution of criminal offences)

Legal Basis for Processing

Under Data Protection Law the Data Controller is required to ensure that there is any appropriate basis for the processing of personal data and to advise the Data Subject of what that basis is. The primary bases used by ERM Financial Services are:

- a) Processing necessary for the performance of a contract (e.g. contract of sale or service)
- b) Processing necessary for us to pursue our legitimate interests
- c) Processing based on the Data Subject's consent
- d) Processing that is required under applicable law

Where we rely on legitimate business interests to justify the purposes of using data subject's personal data, these interests will usually be:

- Compliance with a variety of legal and regulatory obligations;
- The pursuit of commercial activities and objectives;
- Improve and develop our products/services or operations;
- Protecting our business, owners, employees, clients or third parties;

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- Analysing the competition.

We process sensitive data based on one of the following conditions:

- Explicit consent of the data subject;
- In the course of employee management as per Article 52 and Article 73, 1 (vii) of the DPA 2018
- For the establishment, exercise or defence of legal claims.
- For insurance and pension purpose as per Article 50 of the DPA 2018

Transfers outside of the EEA

We may make use of services provided by 3rd parties which may necessitate the transfer of personal data outside of the EU/EEA.

Where data needs to be transferred or processed outside of the EU/EEA we choose providers who process data based on:

- EU/US Privacy Shield
- Model Contract Clauses
- An Adequacy Decision from the European Commission.

Security of Personal Data

We use appropriate technical, organisational, legal and physical measures which comply with data protection laws to keep personal data secure. These measures include: anti-virus protection systems, firewalls, and data encryption technologies, staff training, secure premises, secure data storage and transfer. If you have reason to believe that your interaction with us is no longer secure please notify us immediately.

Automated Decision-Making including Profiling

In the case of an insurance policy, the relevant insurer for the policy may use automated decision making in the calculation of premiums or during the underwriting process in order to provide you with cover. Please refer to the insurer's Data Protection Policy or Notice for more information.

In order to establish a customer's attitude to investment risk in relation to pensions and investments, our financial advisors may use automated software which determines a customer's

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attitude to various levels of risk having answered a series of questions. Where any automated decision produces legal effects for you or otherwise significantly affects you, you have the right to obtain human intervention.

Data Breach

If there is ever a data breach including any loss, destruction, alteration or unauthorised disclosure of personal data, we will follow our data breach procedure.

Retention of Personal Data

We will retain personal data in accordance with our Retention Policy. This policy operates on the principle that personal data is kept for no longer than is necessary for the purpose for which it was collected. It is also kept in accordance with any legal requirements imposed on us.

The Data Protection Principles

The following key principles are enshrined in data protection legislation and are fundamental to our Data Protection policy. In our capacity as Data Controller, we ensure that all personal data shall be processed in accordance with the following principles:

1. Lawfulness, Fairness, Transparency.

For data to be obtained lawfully, fairly and with transparency the data subject will, at the time the data are being collected, be made aware of:

- The identity of the Data Controller (ERM Financial Services)
- The purpose(s) for which the data is being collected
- The person(s) to whom the data may be disclosed by the Data Controller
- Any other information that is necessary so that the processing may be fair.

We will meet this obligation in the following way.

- Where possible, the informed consent of the data subject will be sought before their data is processed;
- Where it is not possible to seek consent, we will ensure that collection of the data is justified under one of the other lawful processing conditions – legal obligation, performance of a contract;

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- Processing of the personal data will be carried out only as part of our lawful activities, and we will safeguard the rights and freedoms of the Data Subject;
- The Data Subject's data will not be disclosed to a third party other than to a party contracted to us and operating on our behalf.

2. Purpose Limitation.

We obtain data for purposes which are specific, lawful and clearly stated. A Data Subject will have the right to question the purpose(s) for which we hold their data, and we will be able to clearly state that purpose or purposes. Any use of the data by us will be compatible with the purposes for which the data was acquired.

3. Accuracy

We will:

- ensure that processes are in place to conduct regular assessments of data accuracy;
- conduct periodic reviews and audits to ensure that relevant data is kept accurate and up-to-date;

4. Data Minimisation

We will ensure that the data we process in relation to Data Subjects is relevant to the purpose for which the data is collected. Data which is not relevant to such processing will not be acquired or maintained.

5. Storage Limitation

We have identified an appropriate data retention period for each category of data we process. Once the respective retention period has lapsed, we undertake to destroy, erase or otherwise put this data beyond use. Refer to our Data Retention Policy for more information.

6. Integrity and Confidentiality

We employ high standards of security to protect the personal data under our care. Appropriate security measures will be taken to protect against unauthorised access to, or alteration, destruction or disclosure of any personal data held by us in our capacity as Data Controller. Access to and

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management of personal data records is limited to those staff members who have appropriate authorisation and password access.

Accountability

ERM Financial Services shall be responsible for and be able to demonstrate compliance with all six Data Protection Principles listed above.

Your Personal Data Rights

As a data subject, you have various rights under data protection law, subject to certain exemptions, in connection with the processing of personal data

- Right to access the data – the right to request a copy of the personal data that, together with other information about the processing of that personal data (Subject Access Request)
- Right to rectification – the right to request that any inaccurate data is corrected, or incomplete information is completed
- Right to erasure – the right to request the deletion of personal data.
- Right to restriction of processing or to object to processing – the right to request that personal data be no longer processed for particular purposes, or to object to processing of personal data for particular purposes.
- Right to data portability- the right to request a copy of personal data be provided to the data subject or a third party in a structured, commonly used machine-readable format.

Requests to exercise rights should be forwarded to the Data Protection Manager at info@ermfinancialservices.ie. Requests should be as specific as possible including; what personal data is required in the case of an access request. Please include the following details so that we can identify you: account number, staff reference number, names of departments/offices. If you wish a third party to submit a request on your behalf, please provide written authorisation for them to do so. We may require additional information to respond to your request.

Data Subject Access Requests

A Data Subject Access request requires validation. This is outlined in greater detail in the Subject Access Request Policy.



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Questions & Complaints

If you have any questions in relation to this policy, your rights in relation to data protection or any other queries, please contact the data protection manager at info@ermfinancialservices.ie.

A data subject has the right to make a complaint with the Data Protection Commissioner if unhappy with the company's processing of their personal data. Details of how to lodge a complaint can be found on the dataprotection.ie website or telephone contact can be made to the Data Protection Commission on 1890 252 231.

Appendix 1 Types of Personal Data

Contact Information	Name, address, postal address, email, phone number
General Information	Gender, marital and family status, date and place of birth, job, salary, employer, dependent, meeting notes, email correspondence
Education and prior employment (Employees)	Educational background, employer details and employment history, skills and experience, professional licences, memberships and affiliations.
Health Information	As it applies to your financial services needs e.g. illness, prognosis, health insurance.
Government	PPS number, passport number, tax number, driver's licence number, or other government issued identification number. Identification documentation/questionnaires as required under AML / Know your customer.
Financial information	Bank account number, other financial account number and account details, policy ID's, reference number, identification, financial information, assets, liabilities, salary, investments, lending, financial needs/wishes, transactions, fees, risk appetite. Account history, statements.
HR information	Records of holiday, sickness and other absence; records relating to your career history such as training records, appraisals, other performance measures and, where appropriate, disciplinary and grievance records.

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Marketing preferences, marketing activities and client feedback Marketing preferences or responses to client satisfaction surveys.

Appendix 2 Definitions

For the avoidance of doubt, and for consistency in terminology, the following definitions will apply within this Policy.

Data	This includes both automated and manual data. Automated data means data held on computer or stored with the intention that it is processed on computer. Manual data means data that is processed as part of a relevant filing system, or which is stored with the intention that it forms part of a relevant filing system.
Personal Data	Information which relates to a living individual, who can be identified either directly from that data, or indirectly in conjunction with other data which is likely to come into the legitimate possession of the Data Controller.
Sensitive Personal Data	A particular category of Personal data, relating to: Racial or Ethnic Origin, Political Opinions, Religious, Ideological or Philosophical beliefs, Trade Union membership, Information relating to mental or physical health, information in relation to one's Sexual Orientation, Genetics or Biometrics
Data Controller	A person or entity who, either alone or with others, controls the content and use of Personal Data by determining the purposes and means by which that Personal Data is processed.
Data Subject	A living individual who is the subject of the Personal Data, i.e. to whom the data relates either directly or indirectly.

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Data Processor	A person or entity who processes Personal Data on behalf of a Data Controller on the basis of a formal, written contract, but who is not an employee of the Data Controller, processing such Data in the course of his/her employment.
Profiling	The automated processing of personal data to make certain assessments relating to an individual in order to analyse or predict an individual's performance, decisions or behaviour.
Data Protection Manager	A person appointed by ERM Financial Services to monitor compliance with the appropriate Data Protection legislation, to deal with Subject Access Requests, and to respond to Data Protection queries from staff members and service recipients
Relevant Filing System	Any set of information in relation to living individuals which is not processed by means of equipment operating automatically (computers), and that is structured, either by reference to individuals, or by reference to criteria relating to individuals, in such a manner that specific information relating to an individual is readily retrievable.
