



## Privacy Statement

### Van Lanschot Kempen Investment Management (UK) Ltd.

In this Privacy Statement, we will explain how Van Lanschot Kempen Investment Management (UK) Ltd. (Van Lanschot Kempen Investment Management), uses, processes, and protects your personal data.

#### 1. When do we publish changes to this Privacy Statement?

Van Lanschot Kempen Investment Management reserves the right to modify this Privacy Statement. We will always inform you about any important changes in advance.

#### 2. What are personal data?

Personal data are details that provide information about a natural person. Examples include their name, address or telephone number. Table 1 shows the categories of personal data that we may process. In this Privacy Statement, we will explain the purposes for which these data may be used and processed, and the rules on which this is based.

#### 3. What does 'processing of personal data' involve?

Processing refers to everything that we can do with personal data, including collecting, storing, viewing, and destroying them.

#### 4. How do we handle personal data?

Your privacy is important to us. We comply with laws and regulations, including the UK General Data Protection Regulation (GDPR) tailored by the UK Data Protection Act 2018. We treat personal data responsibly and carefully. We do not sell personal data to any third parties.

#### 5. Does this Privacy Statement also apply to your personal data?

Wherever this Privacy Statement mentions personal data of clients, the same applies to personal data of representatives or of people associated with legal entities with which Van Lanschot Kempen Investment Management has, or has had, a business relationship.

The data that will be processed will depend on the type of service you purchase from us or intend to purchase from us.

#### 6. How do we secure personal data?

It is very important to us that your data and ours are safe. Our staff are bound by strict rules. Our security measures are in compliance with the relevant standards.

#### 7. How do we deal with data leaks?

In the event of a data leak, personal data may be exposed to unauthorized individuals. We will report data leaks to the Information Commissioner's Office. We will not do so if you are not exposed to any risk. Furthermore, we will always inform you of such a leak. We will do so if this is necessary in consideration of any risk to which you may be exposed. Risks may include identity theft or fraud. In such an event, we will inform you about what has happened as well as about the possible consequences. In addition, we will inform you about the measures we have taken in order to mitigate any adverse consequences.

#### 8. What can you ask us with respect to your personal data?

Below is a summary of what you can ask us with respect to your personal data. Whether we will be able to accommodate

your request will depend on the law. Please bear in mind, therefore, that we will not be able to accommodate every request. We will respond to your request or answer your question as soon as possible. The processing of your request or question is free of charge, unless the process takes an exceptional effort on our part. Repeating the same question over and over within a short period of time would be an example of such an effort. If we do decide to charge a fee, we will inform you in advance.

### **Rectification of personal data, amendments or additions**

You have the right to request rectification of your personal data if they are inaccurate or incomplete.

### **Inspection of personal data**

You have the right to request inspection of your personal data and to request a copy of the data. In addition, you have the right to ask for information as to how we process your personal data (including the purposes for processing the data and the categories of the personal data).

### **Deletion of personal data**

You have the right to request the deletion of your personal data, for instance when it is no longer necessary for us to hold on to your data or if you have withdrawn your consent for us to use your personal data.

### **Objection to the processing of personal data**

You have the right to object to certain types of processing of your personal data. This is only possible if our processing is based on the legal grounds of 'legitimate interest' (under the heading '**Why do we process personal data?**', you can find when this applies), in the event of direct marketing, and if personal data are being used for the purpose of statistics

### **Restriction of processing**

You can ask us to suspend the processing of your personal data temporarily. You may want to do this, for instance, if we are examining the correctness and completeness of your personal data at your request, or if we are processing personal data without authorization. In addition, you can ask us to do so if you think that you will need the data for legal proceedings or if you have objected to the processing of your data.

### **Data portability**

Under certain circumstances, you can request to obtain the data that you have provided to us for reuse for your own purposes, or ask us to transfer the data to a third party.

## **9. Why do we process personal data?**

We process personal data for a variety of different reasons. More information can be found below.

### **Becoming a client**

Before a party becomes a client of Van Lanschot Kempen Investment Management, we are obliged to conduct an investigation. During this process, we will verify whether the client can be accepted as a client. This is referred to as the client acceptance evaluation. The purpose of this evaluation is to find out whether there are any reasons not to accept a certain person or legal entity as a client. At the same time, we will check whether there are any special circumstances that we will need to take into account in providing our services, for instance whether the party is exposed to any increased risk as a result of being on a national or international sanctions list. We are allowed to process personal data for the purpose of this evaluation to the extent that we need such data in order to comply with our legal obligation to conduct a client acceptance evaluation. For the purpose of this evaluation, we will collect personal data from the party. This data may consist of a copy of their proof of identity, personal identification details, financial details, a copy of the shareholders' register of the legal entity concerned, and their criminal record. We will also draw on external sources for this evaluation, including Companies House, the UK Sanctions List and the Internet. Van Lanschot Kempen Investment Management is not authorised to provide any services until the necessary personal data has been obtained.

We may share personal within Van Lanschot Kempen Investment Management within the framework of client acceptance research. In the event that a prospect also purchases products from another entity within Van Lanschot Kempen, we may collect information about the prospect concerned from these units, for example to screen prospects for integrity. In addition, personal data may be shared for reasons of fraud prevention, including money laundering. These types of processing take place on the basis of our legitimate interest to run our business with integrity.

## Being a client

Van Lanschot Kempen Investment Management will process personal data of the client during the relationship.

### In order to be able to contact the client

During the relationship with the client, we are in contact with clients. We may be in contact with them by telephone (landlines or cell phones), by email, text messages, regular mail, via applications (apps), or by using the chat option on a website or the app. For these types of contact, we use personal identification details. We may use this personal data to the extent necessary for the performance of our agreement with our clients.

### Performance of the agreement

We process personal data in order to fulfil the agreement with the client. We need personal data in order to be able to execute transactions, for instance, or to provide investment services to the client. Also in the event of any problems in the relationship with the client, we may need to process personal data in order to solve the problem.

### Legal obligations

We process personal data in order to be able to comply with our legal obligations. More information can be found below.

- **Transaction monitoring.** We are legally obliged to monitor our clients' transactions. Without processing financial details and personal identification details, we are unable to comply with this obligation.
- **Statutory retention obligations.** We are required by law to retain certain personal data. This applies, for instance, to information with respect to the client acceptance evaluation, to executed investment transactions and telephone conversations and digital communication with the client if and to the extent that such communications may lead to an investment service.
- **Information obligations and requests for information.** On the basis of legal provisions, we may be required, on our own initiative or upon request, to disclose personal information about clients to a government agency, tax authority, supervisor or court. Even foreign laws may require us to disclose information to foreign agencies.

### For training and quality purposes

We may record the contents of telephone conversations with clients for training and quality purposes. Clients will be informed in advance. The content of the communication will be recorded in order to train and guide our employees in their contact with clients. We may process personal data for this purpose because it is in our legitimate business interest to improve the quality of our telephone services. A client may, for personal reasons, object to the processing of personal data for training and quality purposes. More information is available under the heading '**Objection to the processing of personal data**'.

### Recording telephone calls with clients

We may record the contents of telephone conversations with clients. We are obliged to do so pursuant to the legal retention obligations (please refer to the heading '**Legal obligations**') and we need to do so for training and quality purposes (please refer to the heading '**For training and quality purposes**'). We may also record telephone calls of clients for the purpose of protecting our legitimate interest in files when a dispute with a client arises. Even telephone calls that were made prior to the creation of the relationship with the client may be recorded.

### The relationship between the client and Van Lanschot Kempen Investment Management is or will be terminated

If the relationship with the client is or will be terminated, we will retain the collected personal data. We may do this on the basis of statutory retention obligations, for internal analysis, for the settlement of the agreement and the relationship or for use in any disputes that may arise during or after the conclusion of the relationship. For this purpose, we are allowed to process personal data because it is necessary to protect our interests to collect sufficient evidence for a time when a dispute with the client may arise. You may object to the processing of personal data based on this interest for personal reasons. More information is available under the heading '**Objection to the processing of personal data**'. For the settlement of the agreement and the account, we may also collect new personal data, such as financial data and data from public external sources (Land Registry and Companies House).

### For the safety and integrity of the financial sector and to prevent and mitigate fraud

Fraud investigations into events help to ensure the safety and integrity of the financial sector. For this type of investigation, we can, for instance, access email correspondence with clients and recorded telephone calls or question employees. It is possible that personal data of clients are processed in the process. We may engage third parties, such as lawyers or forensic

accountants, to conduct this investigation. We are allowed to process personal data for this purpose because we are obliged to ensure safe and sound business operations and because it is in the legitimate interests of our clients, the financial sector, and our staff as well as in our own legitimate interests as a company.

### **For promotion and marketing purposes**

Our activities in the field of promotion and marketing consist of acquiring new clients and consolidating the relationship with existing clients.

#### **Attracting new clients**

In order to attract and acquire new clients, we process personal identification data and personal characteristics from external sources and compare them with our clients' personal data. We process personal data of potential clients and prospects in order to contact them within a reasonable period of time. At that time, we will ask for their permission.

Consent can easily be withdrawn at any time. The withdrawal of consent has no retroactive effect; data processing is lawful until consent is withdrawn. With specific permission, we can use personal data to inform clients about products and services, for instance, or to send out newsletters. Furthermore, we will restrict the retention of personal data in the event that clients have informed us that they are not interested in our services. This will help to avoid unwanted contact. More information is available under the heading 'How long do we keep personal data?'

#### **Consolidating the relationship with existing clients**

Promotion and marketing are used to draw clients' attention to new products and services, or to improve our service to clients. This may take the form of television commercials, for instance, or newsletters and information on our website. At times, we will call clients or send them a personal email. For the purpose of such marketing activities, we are allowed to process personal data such as personal identification details, personal characteristics, data about products and services, and electronic identification details. We have a commercial interest in marketing and promotion, as these activities support our business operations. For personal reasons, clients may object to the processing of personal data on the basis of this interest. More information is available under the heading 'Objecting to the processing of personal data'.

#### **Analysis and research**

We process personal data for analysis and research purposes in order to develop and improve our products and services as well as to enhance our service to clients. In addition, we use analysis to predict and prevent insolvency.

#### **For the development and improvement of products and services, and to enhance our service to clients**

Our aim is to provide products and services that best meet the needs of our clients. For this reason, we continually develop new and improve existing products and services. To determine the best way to do this, we analyse the use of our products and services. Wherever possible, we try to avoid the use of personal data or anonymised data in the process. Furthermore, we conduct customer surveys using polls and interviews for this purpose. This involves processing personal data such as personal identification details and data on products and services. The personal data is processed with the client's consent. Consent can easily be withdrawn at any time. The withdrawal of consent has no retroactive effect; data processing is lawful until consent is withdrawn.

### **10. Do we disclose personal data to third parties?**

We may disclose your personal data to third parties but only if this is necessary within the context of the performance of the agreement or as part of efforts to improve the efficiency of our business operations.

#### **Sharing data within Van Lanschot Kempen Group**

We may also share personal data with other legal entities within Van Lanschot Kempen Group for the acquisition of new clients. These types of processing will take place on the basis of the legitimate interest of the various entities within Van Lanschot Kempen Group in order to be able to perform activities for the purpose of acquiring new clients. In addition, we may share personal data with other entities within Van Lanschot Kempen Group for integrity, fraud prevention, and anti-money laundering purposes (please refer to the section on 'Becoming a client').

#### **Business support**

We also engage third parties who support our business operations and need to process personal data for this purpose. These parties are referred to as processors. For example, we work with a third party who takes care of marketing on behalf of us and another third party who takes care of our account management. We make agreements with these third parties to

ensure that the personal data is adequately protected. Each third party is selected after extensive due diligence. We demand that your personal data are kept safe also in the hands of these third parties. We are allowed to disclose personal data to third parties for the purpose of supporting our business operations and because it is in our legitimate interest to optimise our business operations.

### **11. Do we disclose personal data to organizations in countries outside the EEA and the United Kingdom?**

We try to limit the disclosure of personal data to organizations in countries outside of the European Economic Area (EEA) and the United Kingdom in view of the fact these countries may have lower standards for the protection of personal data. In the exceptional situation that we do need to share such data outside the EEA and the United Kingdom, we will only do this if it is necessary for the performance of an agreement with a client or after specific measures have been taken to guarantee the safety of the personal data. For individuals whose personal data are shared with third parties outside of the EEA and the United Kingdom, Van Lanschot Kempen Investment Management will remain the point of contact with respect to the processing of such data.

### **12. How long do we keep personal data?**

We observe maximum time periods for the storage of personal data. These periods are specified in Table 2. Once the maximum retention period has lapsed, we will delete the personal data.

### **13. Do we also process special categories of personal data and criminal records?**

We are very careful in handling special categories of personal data and criminal offence data. Within Van Lanschot Kempen Investment Management, such data are processed to a very limited extent. These data will only be processed in order to comply with our legal obligations with respect to client acceptance. In addition, we will only process special categories of personal data with your express consent or at your request or in the event that you disclose special personal data in your communication with us on your own initiative. In the event that a client has consented to the processing of special categories of personal data, this consent can be withdrawn at any point in time. The withdrawal of consent has no retroactive effect; data processing is lawful until consent is withdrawn.

### **14. Cookies**

Our [cookiestatement](#) explains how we deal with your personal data that are processed by us using cookies.

### **15. Do you have any questions or complaints?**

For general questions or complaints in connection with this Privacy Statement, please contact Andre Keijsers: [andre.keijsers@kempen.co.uk](mailto:andre.keijsers@kempen.co.uk).

For general questions or complaints in relation in the EU or EEA, please contact our EU representative: [privacyofficer@vanlanschotkempen.com](mailto:privacyofficer@vanlanschotkempen.com).

If you feel that Van Lanschot Kempen Investment Management has violated your rights, you can submit a complaint to the Information Commissioner's Office (<https://ico.org.uk/concerns/>).

### **16. Where can you find more information on privacy?**

For more information in general about privacy, please refer to the Information Commissioner's Office website: <https://ico.org.uk/>.

## Appendices

**Table 1. Categories of personal data that may be processed**

Below is a list of categories of personal data that we are lawfully entitled to process. The Privacy Statement explains for which purposes and on which basis we may process these personal data.

Category of personal data	Example
Personal identification details	Name, address, city, postcode, email address, telephone number, signature, selfie
Personal characteristics	Age, gender, date of birth, marital status, nationality, profession, personal interests
Electronic identification data	IP address, cookies
Communication data	Information recorded from face-to-face interactions, interactions by telephone, email, app, letter; recordings of conversations about services; recordings of complaints and queries
Special personal data	Data as referred to in Article 9 of the General Data Protection Regulation
Criminal record	Information pertaining to criminal convictions and criminal offences
Miscellaneous personal data	National Insurance Number

**Table 2. Retention periods**

Data type	Retention period
Personal data pertaining to the client	Ten years after termination of the relationship
Personal data of potential clients who have yet to be contacted	Six months following collection
Personal data of potential clients who have expressed an interest in contact	Two years after the last contact
Contact details of potential clients who have indicated that they no longer want to be contacted	Three years after the last contact
Conversations with clients on investments by landline or mobile phone or via electronic means of communication such as email	Ten years following recording
Conversations with clients on other types of services by landline or mobile phone or via electronic means of communication such as email	Two years following recording

The stated retention periods may not be extended unless after expiry of the retention period as mentioned, a complaint is ongoing, or legal or regulatory proceedings or investigations are active in connection with the (terminated) relationship. The same retention periods apply to personal data stored at third parties. Our cookie statement specifies the retention periods we have in place for the various types of cookies.