

PRIVACY NOTICE



INTRODUCTION

This document ("Privacy Notice") refers to personal data, which is defined as information that relates to any identified or identifiable living person (a natural person who hereafter will be called the "Data Subject").

The General Data Protection Regulation¹ ("EU GDPR") as applied² in the UK ("UK GDPR") and Data Protection Act (2018) (together, the Legislation) seek to protect and enhance the rights of Data Subjects. These rights cover the safeguarding of personal data, protection against the unlawful processing of personal data and the unrestricted movement of personal data within the EU. For the purpose of the Legislation, Equity Trustees Fund Services ("ETFS", "we", "our", "us") of 4th Floor, Pountney Hill House, 6 Laurence Pountney Hill, London. EC4R 0BL, are the data controller and processor. This means that we are responsible for deciding how we hold and use personal information about you and are required under the Legislation to notify you of the information contained in this Privacy Notice.

Note that we reserve the right to update this Privacy Notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information. It is important that you read this Privacy Notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

ETFS is pleased to confirm that we will comply with the requirements of the Legislation, meaning that the personal information we hold about you will be, as detailed in the rest of the Privacy Notice following this introduction:

1. used lawfully, fairly and in a transparent way;
2. collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
3. relevant to the purposes we have told you about and limited only to those purposes;
4. accurate and kept up to date;
5. kept only as long as necessary for the purposes we have told you about; and
6. kept securely.

PERSONAL DATA

ETFS will only collect the information needed so that we can provide you with financial services in the ordinary course of our business. We may collect, store, and use the following categories of personal information about you (including without limitation):

Information that you give us: this includes:

- o personal contact details such as name, title, addresses, telephone numbers, and personal email addresses;
- o date of birth;
- o gender;

¹ "EU GDPR" means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, as modified, amended and re-enacted from time to time.

² "UK GDPR" means the EU GDPR, as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018, as amended, modified and reinstated from time to time, and any succeeding UK law or regulation which becomes enforceable by law from time to time.



- marital status and dependants;
- next of kin and emergency contact information;
- national Insurance number;
- bank account details, payroll records and tax status information;
- salary, annual leave, pension and benefits information;
- start date;
- location of employment or workplace;
- copy of driving licence;
- recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process);
- employment records (including job titles, work history, working hours, training records and professional memberships);
- compensation history;
- performance information;
- disciplinary and grievance information;
- information about your use of our information and communications systems; and
- photographs.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- information about your health, including any medical condition, health and sickness records;
- information about criminal convictions and offences; and

Information we receive from other sources: we collect personal information about employees, workers and contactors through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, personal referees, credit reference agencies or other background check agencies.

We may collect additional personal information that we may deem appropriate in the course of job-related activities throughout the period of you working for us.

USE OF INFORMATION

ETFS may use information held about you in the following ways:

- Information you give to us: we may use this information:
 - for the purposes of mutual performance of an employment contract we have entered into with you;
 - where we need to comply with a legal obligation; and
 - where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

- where we need to protect your interests (or someone else’s interests); and
 - where it is needed in the public interest or for official purposes.
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- Information we collect about you: we may use this information to:
 - make a decision about your recruitment or appointment;
 - determine the terms on which you work for us;
 - check you are legally entitled to work in the UK;
 - pay you and, if you are an employee, deducting tax and National Insurance contributions;
 - provide the following benefits to you
 - Pension



- Health
 - Life Insurance;
- liaise with your pension provider;
- administer the contract we have entered into with you;
- business management and planning, including accounting and auditing;
- conduct performance reviews, managing performance and determining performance requirements;
- make decisions about salary reviews and compensation;
- assess qualifications for a particular job or task, including decisions about promotions;
- gather evidence for possible grievance or disciplinary hearings;
- make decisions about your continued employment or engagement;
- make arrangements for the termination of our working relationship;
- education, training and development requirements;
- deal with legal disputes involving you, or other employees, workers and contractors, including accidents at work;
- ascertain your fitness to work;
- manage sickness absence;
- comply with health and safety obligations;
- to prevent fraud;
- to monitor your use of our information and communication systems to ensure compliance with our IT policies;
- to ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution;
- to conduct data analytics studies to review and better understand employee retention and attrition rates;
- equal opportunities monitoring; and

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

SENSITIVE PERSONAL INFORMATION

We may process special categories of personal information in the following circumstances:

1. in limited circumstances, with your explicit written consent;
2. where we need to carry out our legal obligations and in line with our data protection policy;
3. where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme, and in line with our data protection policy; and
4. where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.



Our obligations as an EU employer

We will use your particularly sensitive personal information, if processed, in the following ways:

- we will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws;
- we will use information about your physical or mental health, or disability status, to ensure your health and safety in the workplace and to assess your fitness to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits;
- we will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting;

Information about criminal convictions

We envisage that we will hold information about criminal convictions.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us.

AUTOMATED DECISION MAKING

Automated decision-making takes place when an electronic system uses personal data to make a decision without human intervention. You may object to being subject to any automated data processing decisions, unless such automatic processing is necessary for entering into or performance of a contract between you and us, is lawfully authorised and/or based on your explicit consent.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

DISCLOSURE AND THIRD PARTIES

Other entities in our group

We may share your personal information with any member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006. Our group includes but may not be limited to:

Equity Trustees Limited and Equity Trustees Fund Services Ireland Limited.

We may share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and/or hosting of data.

Third-party service providers

ETFS may on occasions pass your personal information to third parties exclusively to process work on its behalf. ETFS requires these parties to agree to process this information based on our instructions and requirements consistent with this Privacy Notice and the Legislation. ETFS does not broker or pass on information gained from your engagement with us without your consent. However, ETFS may disclose your personal information to meet legal obligations, regulations or valid governmental request. The agency may also enforce its Terms and Conditions of contracting with you, including investigating potential violations of



its Terms and Conditions to detect, prevent or mitigate fraud or security or technical issues; or to protect against imminent harm to the rights, property or safety of ETFS, its clients and/or the wider community.

We may share your information with selected third parties including:

- business partners, suppliers and sub-contractors for the performance of any contract we enter into with them or you; and
- designated agents.

In order to meet its contractual obligations and/or in the ordinary running of its business, ETFS utilises the following third party service providers for the services, as set out below:

ORGANISATION	SERVICE DESCRIPTION
FNZ Bank of New York Mellon (International) Limited	Third party Administration Services System provision
Bank of New York Melon International Ltd	Third party Administration Services System provision
DST Financial Services Europe Ltd	Third party Administration Services System provision
DST Financial Services International Ltd	
State Street Trustees Limited	Third party Administration Services System provision
A4G	Payroll and Finance Provider
Aura IT	IT provider
Croner	HR system provider
Deloitte PWC Ernst Young	Auditors

ETFS will take appropriate measures to ensure that it engages with third parties (including the organisations above) that are Legislation compliant. We may also disclose your personal information to third parties:

- in the event that we sell or buy any business or assets in the context of the possible sale or restructuring of the business, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets and a regulatory to otherwise comply with the law;
- if ETFS or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets;
- where it is necessary to administer a working relationship with you;
- where we have a legitimate interest in doing so;
- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of use and other agreements; and/or



- to protect the rights, property, or safety of ETFS, our clients, customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

How secure is my information with third-party service providers and other entities in our group?

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

LEGAL BASIS FOR PROCESSING PERSONAL DATA

In general, ETFS will process personal data:

- to meet its contractual obligations to clients, on the legal basis of "Contract"; and/or
- to promote the marketing and consulting services offered by ETFS and/or to market the services and/or products offered (including responding to marketing enquiries), on the legal basis of "Legitimate Interests".

CONSENT

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact lisaacs@equitytrustees.com

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so under the law.

WHEN INFORMATION REQUESTED IS NOT PROVIDED

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as paying you or providing a benefit), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).



DATA SECURITY

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Where we use third party data processors, these entities will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

We may, in compliance with our obligations under the Legislation or with any other laws or regulations in force from time to time, transfer the personal information we collect about you to countries outside the United Kingdom (or outside the European Union) in order to perform our contract with you. However, to ensure that your personal information does receive an adequate level of protection we have put in place the following appropriate measure(s) to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the EU and UK laws on data protection:

RETENTION POLICY

ETFS will process personal data during the duration of any contract with you and will continue to store only the personal data needed after the contract has expired to meet any legal obligations.

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances, we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will retain and securely destroy your personal information in accordance with any data retention policy that we may have or in compliance with any laws or regulations in force from time to time.

DATA STORAGE

Data is held in the UK and may be stored at third party locations using different (multiple) servers.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.



YOUR RIGHTS AS A DATA SUBJECT

At any point whilst ETFS is in possession of or processing your personal data, each Data Subject has 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 the right to request that we 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.
- 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 not to be subject to the legal effects of automated processing or profiling.

In the event that ETFS refuses your request under rights of access, we will provide you with a reason as to why, which you have the right to legally challenge.

ETFS at your request can confirm what information it holds about you and how it is processed. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

YOU CAN REQUEST THE FOLLOWING INFORMATION:

- Identity and the contact details of the person or organisation (ETFS) that has determined how and why your personal data will be processed.
- Contact details of the Data Protection Champion, where appropriate.
- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of ETFS or a third party such as one of its clients, information about those interests.
- The categories of personal data collected, stored and processed.
- Recipient(s) or categories of recipients that the data is/will be disclosed to.
- How long the data will be stored.
- Details of your rights to correct, erase, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority (Data Protection Regulator).
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it wasn't collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.



TO ACCESS WHAT PERSONAL DATA IS HELD, IDENTIFICATION WILL BE REQUIRED

ETFS will accept the following forms of ID when information on your personal data is requested: a copy of your national ID card, driving license, passport, birth certificate and a utility bill not older than three months. A minimum of one piece of photographic ID listed above and a supporting document is required. If ETFS is dissatisfied with the quality of the ID verification and/or documents, further information may be sought before personal data can be released.

All requests should be made to either:

SS&C

Investec Wealth & Investments Limited

PO Box 12898

Chelmsford

CM99 2FP

equitytrusteesenquiries@uk.dstsystems.com

+44 (0) 330 123 3766 (+44 203 975 1023 if calling from overseas)

FNZ

ETFS

PO Box 12892

Dunmow

CM6 9DL

Investorqueries@fnztaservices.com

+44 (0) 303 333 3330

BNYM

Equity Trustees

PO Box 372,

Darlington,

DL1 9RP

ediservicedelivery@bnymellon.com

+44 (0) 0345 603 3618

COMPLAINTS

In the event that you wish to make a complaint about how your personal data is being processed by ETFS or its partners, you have the right to complain to ETFS' Risk and Compliance Director. If you do not get a response within 30 days, you can complain to the Data Protection Regulator (the Information Commissioner's Office).

RIGHTS TO BE FORGOTTEN AND RECTIFICATION

In the event that you wish to exercise your right to erasure or rectification of the personal data being processed by ETFS or its partners, you should contact the Risk and Compliance Director.

The details for each of these contacts are:



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ETFS is authorised and regulated by the Financial Conduct Authority and is entered on the register under reference 227807. The FCA's address is 12 Endeavour Square, London, E20 1JN. Registered in England number 04856420. Registered office: 4th floor Pountney Hill House 6 Laurence Pountney Hill EC4R 0BL

