

Privacy Notice



INTRODUCTION

D. Moloney Financial Services 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 the 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 statement to explain to you the information practices of D. Moloney Financial Services in relation to the information we collect about you.

For the purposes of the GDPR the data controller is:

- Northampton Financial Services Limited t/a D Moloney Financial Services
- Telephone No: 091-638133
- When we refer to 'we' it is the Firm: Northampton Financial Services t/a D Moloney Financial Services

Please read this Statement 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?

Northampton Financial Services Limited t/a D Moloney Financial Services acts as a Broker authorised and regulated by the Central Bank of Ireland. We are a member of Brokers Ireland. Our principal business is to provide advice and arrange transactions on behalf of clients in relation to Life & Pensions, Investments, Mortgages, General Insurance Products and Deposits. Our principal trading address is Northampton, Kinvara, Co. Galway.

Our GDPR Owner and data protection representatives can be contacted directly here:

- Mary Moloney
- mary@dmoloney.ie
- 091 638133

HOW DO WE COLLECT YOUR INFORMATION?

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. We collect personal data in a number of ways, such as if you request a service from us, such as contacting us for a general insurance quotation or seeking mortgage or investment advice, use our website, engage with us on social media or apply for a position with us.

WHAT INFORMATION DO WE COLLECT?

In order to provide advice and to process an application on your behalf, it will be necessary to collect information such as your contact and identifying information, such as your PPS Number for AML purposes. We may also request demographic details such as marital status and lifestyle, family and beneficiary data such as dependants and next of kin, employment information, health information e.g. for health insurance or life assurance. Pension, financial and insurance information may also be required. Sensitive data will be handled in line with our Policies.

PURPOSE FOR PROCESSING YOUR DATA

Your personal data will be gathered and processed following your consent to progress an application/contract of Insurance, Investment, Pension, Mortgage or Financial Product that we are authorised to transact. We process your data only when necessary to achieve our commercial or business objectives in offering and recommending to you suitable products from our product listings. It is necessary for us to collect this data to understand your needs and objectives and to enable us to provide specialist advice to you on the products and/or services available to suit your specific requirements. We also process your data in order to fulfil our statutory and regulatory requirements such as compliance with AML Legislation. The types of personal data that may be collected include name, financial information, address, email address, telephone number and employment information. Additionally, we may also request sensitive data e.g. health information or criminal data e.g. penalty points information in order to submit an application on your behalf to the product providers with whom we hold an agency. All information you provide to us will be stored on secured servers/paper files, and we will only disclose your personal information as we describe in this Privacy Notice and in more detail in our Policies.

WHY ARE WE PROCESSING YOUR DATA? OUR LEGAL BASIS

In order to provide you with our services – advising and arranging transactions in relation to Life & Pensions, Investments, Mortgages, General Insurance Products and Deposits, it is necessary for us to collect and process your personal data. We are required, therefore, to inform you of the legal bases for processing your personal data.

One such legal basis is that the processing is necessary for the performance of the advisory services contract (and any other contract) that we commit to delivering to you from time to time. Another legal basis is that some processing is necessary for the purposes of the legitimate interest that we have, as a firm that is authorised and regulated by the Central Bank of Ireland, in the proper administration and correct operation of our firm. Compliance with regulations of the Data Protection Commission, the Financial Services Ombudsman and the Central Bank of Ireland will also require the processing of your personal data, along with requirements of Data Protection legislation. There may also be circumstances where the legal basis for processing your personal data is consent (where we have sought it and it has been provided to us), in which case that consent may be withdrawn at any time. Data processing for the prevention and detection of fraud is necessary to comply with our legal obligations, our legitimate business interests and further in the public interest.

In any event D Moloney Financial Services are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of your privacy.

SPECIAL CATEGORIES OF PERSONAL DATA

If we collect any special categories of personal data (e.g. health, religious beliefs, racial, ethnic origin, criminal convictions – financial information is not classified as special categories of personal data) – we will ensure that we will obtain your explicit consent and only process what is necessary and proportionate for obtaining a product.

WHO ARE WE SHARING YOUR DATA WITH?

We may pass your personal data on to third-party service providers contracted to D Moloney Financial Services in the course of dealing with you. Any third parties that we may share your data with are obliged to keep your details securely, and to use them only to fulfil the service they provide on your behalf. When they no longer need your data to fulfil this service, they will dispose of the details in line with D Moloney Financial Services procedures.

In our capacity as intermediary, the information you supply to us may be shared in confidence with:

- trusted third party service providers appointed by D Moloney Financial Services to help us process data to execute transactions on your behalf. The systems we use are Omnibroker and Applied Relay;
- trusted Product Providers with whom you may wish to enter into a contract with;
- 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 health insurance or life assurance.
- any agent authorised by you to act on your behalf; and
- relevant regulatory bodies

We have issued all our third party processors with a Data Processor checklist asking them GDPR specific questions. If we transfer personal data to a third party or outside the EU we as the data controller will ensure the recipient (processor or another controller) has provided the appropriate safeguards and on condition that enforceable data subject rights and effective legal remedies for you the data subject are available.

If you hold insurance against a liability that may be incurred by you against a third party, where for whatever reason you cannot be found or you become insolvent, or the court finds it just and equitable to so order, then your rights under the contract will be transferred to and vest in the third party even though they are not a party to the contract of insurance. The third party has a right to recover from the insurer the amount of any loss suffered by them. Where the third party reasonably believes that you as policyholder have incurred a liability the third party will be entitled to seek and obtain information from the insurer or from any other person who is able to provide it concerning:

- the existence of the insurance contract,
- who the insurer is,
- the terms of the contract, and
- whether the insurer has informed the insured person that the insurer intends to refuse liability under the contract.

AUTOMATIC DECISION MAKING

As part of the services we provide as an intermediary, an element of our assessment of your application for a Financial Product or Contract of Insurance may be carried out using automated decision making. This includes:

- **Risk Profiling** – To establish a customer’s attitude to investment risk, advisors have automated calculators which calculate the customers attitude to various levels of risk having answered a series of questions.
- **Profiling for Marketing Purposes** – When we seek to contact you about other services, we may run automated queries on our computerised database to establish the suitability of proposed products or services to your needs.
- **Establishing Affordability and Providing Quotations for Financial Services Products**

DATA SUBJECT RIGHTS

D Moloney Financial Services facilitates you, our clients, rights in line with our Data Protection Policy and the Subject Access Request Procedure. This is available on request. 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.
- **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 Judicial Review:** in the event that Organisation Name refuses 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.

FAILURE TO PROVIDE FURTHER INFORMATION

If we are collecting your data for a statutory requirement, contract of insurance or other financial product and you cannot provide this data the consequences of this could mean the contract cannot be completed or details are incorrect.

RETENTION OF YOUR PERSONAL DATA

Data will not be held for longer than is necessary for the purpose(s) for which they were obtained. D Moloney Financial Services will process personal data in accordance with our retention schedule. This retention schedule has been governed by our regulatory body – the Central Bank of Ireland and our internal governance.

COMPLAINTS

In the event that you wish to make a complaint about how your personal data is being processed by D Moloney Financial Services or how your complaint has been handled, you have the right to lodge a complaint with D Moloney Financial Services’ data protection representatives – Mary Moloney.

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

Data Protection Commission
Canal House,
Station Road,
Portarlinton,
Co. Laois, R32 AP23
Phone: + 353 57 868 4800 / + 353 761 104 800
Fax: + 353 57 868 4757
Web: www.dataprotection.ie
Email: info@dataprotection.ie

CONTACT US

Your privacy is important to us. If you have any comments or questions regarding this statement, please contact us on 091 638133 or email mary@dmoloney.ie.

PRIVACY NOTICE CHANGES

D Moloney Financial Services may change this privacy policy 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 policy periodically so you’re aware of any changes. By using our services you agree to this privacy policy. *This Privacy Notice was last reviewed in October 2021.*