

REPRESENTATIVE EXAM MODULE 2



GENISTAR
Financial Freedom For All

TOPICS AND EXAM INFORMATION

In this module we'll be covering:

- Complaints
- Data Protection (GDPR)
- Conflict of Interest
- Conduct & Ethics

EXAM

After you have gone through the learning materials, you will take an exam to test your comprehension.

- Multiple-choice questions
- Not timed
- Refer to your notes
- Three attempts to pass

ADDITIONAL SUPPORT

The video presentation should cater to most learning styles, but if you have additional support needs, you must notify us before you use your 3 attempts.



COMPLAINTS

WHAT IS A COMPLAINT?

Some things a customer might complain about:

INFORMATION

PRODUCT

CONDUCT

SERVICE

The FCA defines a complaint as:

'Any oral or written expression of dissatisfaction, whether justified or not, from, or on behalf of, a person about the provision of, or failure to provide, a financial service...'

It's simple:

If a customer is unhappy and expresses it, that is a complaint.

If a customer expresses dissatisfaction about ANYTHING, it is a complaint.




HANDLING COMPLAINTS

- When we receive a complaint, we must remember the importance of treating customers fairly. We view complaints as opportunities to improve and grow.
- We will make every effort to resolve any complaint to the customer's satisfaction.
- All complaints must be reported immediately to the Compliance Department, where they will be actioned in accordance with the FCA and FOS rules and timeframes.
- Send to complaints@genistar.net or via post to:


FAO: Complaints
Department Genistar Limited, Victoria House, Harestone
Valley Road, Caterham CR3 6HY



COMPLIANCE: *We'll do our best to resolve this to the client's satisfaction.*



CLIENT: *I'm not happy about this!*



REP: *I'll forward this to the Compliance Department immediately.*

TIME LIMITS REGARDING COMPLAINTS

The FOS (Financial Ombudsman Service) has strict time limits for a company to consider and respond to customer complaints. Therefore, it is imperative that all complaints are reported to the Compliance Department as soon as you become aware of them.

If any complaints are raised to Genistar, the company has 8 weeks to consider the complaint and issue the Final Response Letter to the client.

We also must send an acknowledgement email within 5 working days of receiving the complaint.

If a customer doesn't receive a final response within the time limits, they can refer their complaint to the FOS (Financial Ombudsman Service).

Genistar's 'Complaints Handling Procedure' can be found at the bottom of our website.





DATA PROTECTION (GDPR)

DATA PROTECTION REGULATION

DATA PROTECTION GDPR

REGULATIONS GOVERNING DATA

GENERAL DATA PROTECTION REGULATION 2018 (GDPR)

The GDPR sets out requirements for how organisations need to handle personal data.

DATA PROTECTION ACT 2018 (DPA)

The DPA controls how personal information is used by organisations.

Genistar's procedures for handling personal data can be found at the bottom of our website under 'Privacy Policy'.



WHAT IS PERSONAL DATA?

Personal data is information that could be used to identify an individual, either directly or indirectly.

Sensitive personal data is covered in GDPR as 'special category' data that must be treated with extra security.

Here are some examples of different types of Personal Data and Sensitive Data:

PERSONAL DATA

- Full name
- Residential address
- Photograph
- Email address
- IP address
- ID card number/National Insurance number
- Location data

SENSITIVE DATA

- Racial or ethnic origin
- Religious or philosophical beliefs
- Sexual orientation
- Health & medical information
- Genetic data and biometric data (where processed to uniquely identify someone)
- Political opinions

HOW CAN SOMEONE BE IDENTIFIED?

If, by looking solely at the information you are processing, you can distinguish one individual from another, that individual is identifiable.

You don't have to know someone's name for them to be directly identifiable: A combination of other information may be sufficient to identify them. And a person's name, in itself, is not always identifiable information.




WHY KEEP PERSONAL DATA SECURE

Genistar has an obligation to the regulators and to our clients to keep all personal data confidential and secure.

Treating personal data with the utmost care will help to:

- Prevent identity theft
- Protect financial information
- Avoid robberies or burglaries
- Protect employability
- Avoid customer complaints



CRIMINAL:
If I can get more information on John Smith, I can steal his identity or get into his bank account.

PERSONAL DATA RIGHTS

➤ **Right to be Informed**

Individuals have the right to be informed about the collection and use of their personal data.

➤ **Right of Access**

This gives individuals the right to obtain a copy of their personal data as well as other supplementary information.

➤ **Right to Rectification**

Individuals have the right to have inaccurate personal data rectified.

➤ **Right to Erasure**

Individuals have the right to have personal data erased.

➤ **Right to Restrict Processing**

Individuals have the right to request the restriction or suppression of their personal data.

➤ **Right to Data Portability**

This allows individuals to obtain and reuse their personal data for their own purposes across different services.

➤ **Right to Object**

Individuals have the right to object to the processing of their personal data in certain circumstances


➤ **Rights in Relation to Automated Decision Making and Profiling**

You have the right to not be subject to a decision based solely on automated processing. Automated processing is a decision made by automated means without any human involvement.

WHAT IS A PERSONAL DATA BREACH?

A **personal data** breach means a breach of security leading to the destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This includes breaches that are the result of both accidental and deliberate causes.

We have a responsibility to keep all personal data secure. If for any reason that personal data is not kept secure, that is a personal data breach.



Oh no, I just sent these personal details to the wrong John Smith!

EXAMPLES OF A DATA BREACH

A personal data breach can be caused in many ways and could be intentional or unintentional. See the list of examples. This list is not exhaustive.

If you become aware of a possible data breach, this must be reported immediately.



**INTENTIONAL
DATA BREACH**



**UNINTENTIONAL
DATA BREACH**

INTENTIONAL:

- Hacking into a business' computer system to steal customers' financial or personal details
- Copying customer data onto a USB stick and disclosing the data to a third party
- Disclosing confidential patient health records to a third-party
- Emailing a list of customer bank account details to a third party
- Introducing errors into personal data or deleting records

UNINTENTIONAL:

- Accidentally inputting incorrect data into an individuals' records
- A system error resulting in customers being able to view account details of other customers
- Accidentally erasing the only copy of an individual's data
- A fire causing paper records to be lost - if the only copy of the data is held on paper
- A laptop containing personal data being stolen or lost, even if the laptop's hard drive is encrypted

HOW TO REPORT A DATA PROTECTION BREACH



SUSPECT IT?



REPORT IT!

If you suspect a data protection breach has happened, this must be reported to the Data Protection Officer (DPO) immediately.

Genistar has only 72 hours to inform the ICO of a data breach in order to comply with their requirements.

Once a report has been made to the DPO, you will then be guided on the next steps whereby additional information may be requested from you. You must co-operate with the process as a high priority!



SUPERVISION AND ENFORCEMENT

If the ICO (Information Commissioner's Office) becomes aware of a concern, or possible non-compliance with their rules and requirements, there are a number of actions that they can take including:

- Sending information notices
- Sending enforcement notices
- Sending penalty notices
- Exercising their inspection powers
- Issuing warnings and reprimands
- Imposing a temporary or permanent ban on data processing

The ICO can also issue a maximum fine of €20 million or 4% of the company's annual global turnover (whichever is greater) for breaching GDPR (General Data Protection Regulation).

Do your part to protect Genistar by keeping all personal data secure.



BASIC GDPR PRINCIPLES

- Familiarise yourself with the GDPR (General Data Protection Regulation)
- Understand the Rights of Individuals
- Ensure that every device you use is password protected
- Ensure that you are accessing information on a secure platform
- When printing, double check which printer you are using and do not print to any unknown device
- Always lock your computer when away from it
- Destroy confidential paperwork straight away if not needed
- Ensure confidential information is locked away in a secure location
- If the Compliance Department needs your help, you must co-operate
- Be responsible
- Ensure confidential information is handled correctly
- Double check your work
- Ask questions if unsure
- You are responsible for your actions and can be held personally accountable

GOOD DATA PROTECTION PRACTICES



1. Be careful with your laptop and don't lose it.



2. Keep your laptop password protected.



3. Make sure no one can see what is on your laptop.



CONFLICT OF INTEREST


CONFLICT OF INTEREST

WHAT IS A CONFLICT OF INTEREST?

A conflict of interest occurs when an individual's **personal interests** could compromise their judgment or decisions in the **workplace**.


In accordance with the FCA's regulations, Genistar has an obligation to establish processes and controls to identify conflicts of interest and manage them fairly.

Genistar strives to manage conflicts of interest fairly, both between itself and its customers and between a customer and another client.



I have another business, and I'm looking to hire some of my fellow Genistar Reps to work with me.

GENISTAR REP



That's not allowed. I need to tell the Compliance Department.

GENISTAR REP

CONFLICT OF INTEREST EXAMPLES

Conflict of Interests may take many different forms that include, but are not limited to:

- Members of Genistar using company resources to support an external business
- Members of Genistar trying to hire other Genistar members for another business they operate
- A new recruit who wishes to join Genistar but also works for another financially regulated firm
- A new recruit who wishes to join Genistar but is registered with the FCA as an approved person
- A new recruit who wishes to join Genistar but also works for a competitor

The possibility that a conflict of interest may occur can be addressed and resolved before any actual damage is done.

If you understand or suspect that a conflict of interest exists, you must bring this matter to the attention of the Compliance Department for guidance and advice on the matter.

RESPONSIBILITIES

It is the individual's duty to report any conflict of interest situation as soon as they become aware of it.

Undisclosed conflicts are likely to cause issues, and Genistar takes any instances of non-disclosure very seriously. This may also lead to penalties issued to Genistar by the FCA.

All conflicts of interest should be immediately reported to the Compliance Department. Email: compliance@genistar.net



SUSPECT IT?



REPORT IT!



CONDUCT AND ETHICS

GENISTAR'S COMMITMENT

As a company we are committed to:

- **DOING THE RIGHT THING 100% OF THE TIME.**
- Ensuring that all our members and customers are treated fairly and in accordance with good business practices.
- Maintaining a culture of openness, trust and integrity.

Our business principles:

- Integrity and honesty
- Passion for our clients' success
- Excellence in service
- Openness and respect
- Innovation in our business practices
- Commitment to provide personal growth and leadership opportunities
- Accountability to all Genistar members, clients, partners and providers

YOUR RESPONSIBILITY

As a representative of Genistar, we expect you to:

- Comply with all laws, rules and regulations pertaining to our business.
- Conduct yourself honestly and ethically.
- Do your best to ensure good outcomes for our customers.
- Uphold our values and protect our reputation.
- Speak up if you see a potential violation of law or company policy.

All members of Genistar also have individual and collective responsibilities with regards to our company's conduct and ethics.

If you are unsure whether an action is permitted by law or company policy, seek advice from the Compliance Department.

I'm not sure if that is allowed. I better check with Compliance...



THANKS FOR WATCHING!

You must now answer some questions about what you have just learnt!



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