

Conning's European Economic Area Privacy Policy ("EEA Privacy Policy")

Conning's Commitment to You

Conning & Company, Conning, Inc., Goodwin Capital Advisers, Inc., Conning Investment Products, Inc., Conning Asset Management Limited, Conning Asia Pacific Limited, Conning (Germany) GmbH and Octagon Credit Investors, LLC are all direct or indirect subsidiaries of Conning Holdings Limited (each of which may be referred to individually or collectively as "Conning," as applicable). Conning Holdings Limited hosts Conning's websites. Conning appreciates the opportunity to help you meet your financial needs. Conning is committed to safeguarding the privacy and confidentiality of the Personal Data you have entrusted to us. It is important for you to understand what Personal Data Conning will collect, how we will use it, and who may access it.

Scope

This EEA Privacy Policy applies to the operations of Conning in the European Economic Area ("EEA"). Please see [Privacy and Social Media Policy](#) for Conning's operations outside the EEA.

If you are an existing customer of Conning, further details about how Conning uses your Personal Data will be set out in your customer contract with Conning. Further notices highlighting certain uses Conning wishes to make of your Personal Data together with the ability to opt in or out of selected uses may also be provided when Conning collects Personal Data from you.

Conning's websites may contain links to other third party websites. If you follow a link to any of those third party websites, please note that they have their own privacy policies and that Conning does not accept any responsibility or liability for their policies or processing of your Personal Data. Please check these policies before you submit any Personal Data to such third party websites.

This EEA Privacy Policy outlines Conning's commitment to you.

Further details are provided below. All underlined terms can be clicked to provide additional detail.

1. Accountability

Conning has strict policies and procedures governing how it deals with your [Personal Data](#). Each and every one of Conning's employees is responsible for respecting and protecting the Personal Data to which the employee has access.

Conning's Data Protection Liaison and Data Protection Contacts in the United Kingdom and Germany oversee privacy governance including policy, dispute resolution, education, communications activities

and reporting to Conning's Board of Directors on privacy matters. Please see [Contact Us](#) for information on how to reach Conning's Data Protection Liaison and Data Contacts in the United Kingdom and Germany.

2. Personal Data that Conning collects

Conning only collects the [Personal Data](#) that Conning determines Conning needs for the purposes set out [here](#).

For example, Conning may collect:

- **Information you provide to Conning:** Personal Data that you provide to Conning, such as when using the contact form Conning's websites, including your name, email address, and other contact details; employer information, issues of interest (to the extent that this amounts to Personal Data) payment details and billing information;
- **Financial Information:** to ensure that the advice and/or products Conning provides you are appropriate for you and the investments you purchase are suitable for you;
- **Your transactions and holdings:** details of transactions with Conning or holdings with Conning that you have made or initiated;
- **Our correspondence:** if you contact Conning, we will typically keep a record of that correspondence;
- **Device Information:** such as information about your operating system, browser, software applications, IP address, geolocation, security status and other device information in order to improve your experience, to protect against fraud and manage risk;
- **Website and communication usage:** details of your visits to Conning's websites, client portals and information collected through cookies and other tracking technologies including, but not limited to, your IP address and domain name, your browser version and operating system, traffic data, location data, web logs and other communication data, and the resources that you access;
- **Marketing preference information:** details of your marketing preferences (e.g. communication preferences) and information relevant to selecting appropriate products and services to offer you;

- **Email tracking information:** Conning’s emails may contain a single, campaign-unique “web beacon pixel” to tell Conning whether its emails are opened and combined with other technology verify any clicks through to links within the email. Conning may use this information for purposes including determining which of its emails are more interesting to you and to query whether users who do not open its emails wish to continue receiving them. The pixel will be deleted when you delete the email. If you do not wish the pixel to be downloaded to your device, you should select to receive emails from us in plain text rather than HTML or choose not to click links that Conning sends you or unsubscribe from the receipt of its emails. This information may include Personal Data;
- **Call recordings and CCTV:** Conning may monitor or record its incoming or outgoing telephone calls with you to ensure accuracy, security, service quality, for training purposes and to establish a record of its communications as required by applicable law or regulation. If you do not wish to have your call recorded, you have other options to conduct business with Conning such as online, or by contacting Conning in writing. Conning may record CCTV footage in and around Conning’s premises and other locations for the safety of Conning’s clients and employees, and to protect against theft, property damage and fraud;
- **Survey information:** Conning may also ask you to complete surveys that Conning uses for research purposes. In such circumstances Conning shall collect the information provided in the completed survey.

3. Purposes for which we use your Personal Data

When Conning collects your [Personal Data](#), Conning may use or disclose it for the following purposes. Below each purpose Conning notes the “legal ground” that allows that use of your Personal Data. An explanation of the scope of the “legal grounds” can be found [here](#).

- **To provide and manage products and services you have requested** ► to administer Conning’s services, including to carry out its obligations arising from any agreements entered into between you and Conning, or to notify you about changes to Conning’s services and products.

***Lawful bases:** contract performance; legitimate interests (to enable Conning to perform its obligations and provide Conning’s services to you or to notify you about changes to Conning’s services)*

- **To verify your identity, protect against fraud and manage risk** ► Conning and other organisations may access and use certain information to prevent fraud, money laundering and terrorism as may be required by applicable law and regulation and best practice at any given time, including checking against sanctions, politically exposed persons (PEP) and other fraud or crime screening databases. If false or inaccurate information is provided and fraud is identified or suspected, details may be passed to fraud prevention agencies and may be recorded by Conning or by them. Further details of how your information will be used by us and these fraud prevention agencies, and your data protection rights, can be found by clicking [here](#).

***Lawful bases:** legal obligation; contract performance; legitimate interests (to ensure that you fall within Conning's acceptable risk profile and to assist with the prevention of crime and fraud).*

In the event that data relating to criminal offences and convictions is processed in the course of Conning's conduct of the checks listed above, Conning will rely on substantial public interest (prevention of crime).

- **To comply with legal or regulatory requirements, or as otherwise permitted by law** ► Conning may process your Personal Data to comply with its regulatory requirements or dialogue with its regulators or defend or prosecute claims as applicable which may include disclosing your Personal Data to third parties, the court service and/or regulators or law enforcement agencies in connection with enquiries, proceedings or investigations by such parties anywhere in the world. Where permitted, Conning will direct any such request to you or notify you before responding unless to do so would prejudice the prevention or detection of a crime.

***Lawful bases:** legal obligations; legal claims; legitimate interests (to cooperate with law enforcement and regulatory authorities)*

- **To monitor certain activities** ► to monitor queries and transactions to ensure service quality, compliance with procedures and to combat fraud;

***Lawful bases:** legal obligations, legal claims, legitimate interests (to ensure the quality and legality of Conning's services)*

- **To inform you of changes** ► to notify you about changes to Conning's services and products;

***Use justification:** legitimate interests (to notify you about changes to Conning's services)*

- **To communicate with you regarding products and services that may be of interest** ► to provide you with updates and offers, where you have chosen to receive these. Conning may also use your information for marketing Conning's own products and services to you by post, email, phone or online or social media advertisement. Where required by law, Conning will ask for your consent at the time Conning collects your data to conduct any of these types of marketing. Conning will provide an option to unsubscribe or opt-out of further communication on any electronic marketing communication sent to you or you may opt out by visiting [Contact Us](#).

***Lawful bases:** legitimate interests (to keep you updated with news in relation to Conning's products and services); consent*

- **To understand Conning's customers and to develop and tailor Conning's products and services** ► Conning may analyze the Personal Data it holds in order to better understand Conning's clients' services and marketing requirements, to better understand Conning's business and develop Conning's products and services. In order to ensure that content from Conning's website is presented in the most effective manner for you and for your device, Conning may pass your data to business partners, suppliers and/or service providers;

***Lawful bases:** legitimate interests (to ensure the quality and legality of Conning's services, to allow Conning to improve its services and to allow Conning to provide you with the content and services on the website)*

- **To reorganize or make changes to Conning's business** ► in the event that Conning (i) is subject to negotiations for the sale of Conning's business or part thereof to a third party, (ii) are sold to a third party or (iii) undergo a reorganization, Conning may need to transfer some or all of your Personal Data to the relevant third party (or its advisors) as part of any due diligence process for the purpose of analyzing any proposed sale or reorganization. Conning may also need to transfer your Personal Data to that reorganised entity or third party after the sale or reorganisation for them to use for the same purposes as set out in this policy;

***Lawful bases:** legitimate interests (in order to allow Conning to change its business)*

- **To communicate effectively with you and conduct Conning's business** ► to conduct Conning's business, including to respond to your queries, to otherwise communicate with you, or to carry out its obligations arising from any agreements entered into between you and Conning.

***Lawful bases:** contract performance; legitimate interests (to enable Conning to perform its obligations and provide its services to you)*

4. Consent and Your Choices

Most of Conning's processing is permitted by "lawful bases" other than consent (see section 3 above). In relation to [Direct Marketing](#), where Conning is required to do so, Conning will obtain your consent before using your Personal Data for this purpose. If you prefer not to receive Conning's [Direct Marketing](#) communications and/or not have your [Personal Data](#) shared among the members of Conning for the purpose of marketing, you can have your name deleted from Conning's [Direct Marketing](#) and/or shared information lists. If you want to change your privacy preferences, see [Contact Us](#).

In relation to processing of criminal convictions data and politically exposed personal data for the purposes of complying with Conning's anti-money laundering obligations and to combat fraud, Conning considers that its processing is permitted by the substantial public interest ground (to prevent or detect crime) but to the extent it is not, you give and Conning relies on your consent to process that type of Personal Data. Although you have a right to withdraw such consent at any time, as Conning considers the processing to be necessary for it to provide its services, your withdrawal (to the extent the processing cannot be justified on substantial public interest grounds) may require Conning to cease to provide certain services.

5. Sharing your Personal Data (and transfers outside of the EEA)

Conning will only use or disclose your [Personal Data](#) for the purpose(s) it was collected and as otherwise identified in this EEA Privacy Policy.

Sharing outside Conning: Personal Data may be provided to third parties, including anti-fraud organizations, legal, regulatory or law enforcement authorities in cases of suspected criminal activity or contravention of law, for the detection and prevention of fraud, or when required to satisfy the legal or regulatory requirements of governments, regulatory authorities or other self-regulatory organizations, or to comply with a court order or for the protection of Conning's assets (for example, collection of overdue accounts).

Sharing within Conning: Conning may share your Personal Data with other Conning companies, including locations outside of the European Economic Area where Conning does business, for marketing purposes, for legal and regulatory purposes, to manage credit risk and other business risks, to perform analytics, to ensure Conning has correct or up to date information about you (such as your current address or date of birth) and to better manage your relationship with Conning.

Business sale or reorganization: Over time, Conning may buy new businesses or sell some of its businesses. Accordingly, Personal Data associated with any accounts, products or services of the business being purchased or sold will be reviewed as part of the due diligence process and subsequently transferred as a business asset to the new business owner. Conning may also transfer Personal Data as part of a corporate reorganization or other change in corporate control.

Sub-contractors and agents: Conning may use affiliates or other companies to provide services on its behalf such as data processing, account administration, fraud prevention and detection, analytics and marketing. Such companies will be given only the Personal Data needed to perform those services and Conning does not authorize them to use or disclose Personal Data for their own marketing or other purposes. Conning has contracts in place holding these companies to the same standards of confidentiality by which Conning is governed.

Transfers outside of the EEA: Your Personal Data may be accessed by staff, suppliers or other persons in, transferred to, and/or stored at, a destination outside the EEA in which data protection laws may be of a lower standard than in the EEA. Conning will, in all circumstances, safeguard Personal Data as set out in this EEA Privacy Policy.

Where Conning transfers Personal Data from inside the EEA to outside the EEA, Conning may be required to take specific additional measures to safeguard the relevant Personal Data. Certain countries outside the EEA have been approved by the European Commission as providing essentially equivalent protections to EEA data protection laws and therefore no additional safeguards are required to export Personal Data to these jurisdictions. In countries which have not had these approvals (see the full list here http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm), Conning will establish legal grounds justifying such transfer, such as EU Commission-approved model contractual clauses, or other legal grounds permitted by applicable legal requirements.

Please [Contact Us](#) if you would like to see a copy of the specific safeguards applied to the export of your Personal Data.

6. Retention of your Personal Data

Conning's retention periods for personal data are based on business needs and legal requirements. Conning retains your Personal Data for as long as is necessary for the processing purpose(s) for which the information was collected, and any other permissible, related purpose. For example, Conning may retain certain transaction details and correspondence until the time limit for claims arising from the transaction has expired, or to comply with regulatory requirements regarding the retention of such data. When Personal Data is no longer needed, Conning either irreversibly

anonymises the data (and Conning may further retain and use the anonymised information) or securely destroys the data.

7. Maintaining the accuracy of your Personal Data

Conning is committed to maintaining the accuracy of your [Personal Data](#) and ensuring that it is complete and up-to-date. If you discover inaccuracies in Conning's records, or your Personal Data changes, please notify Conning immediately so that Conning can make the necessary changes. Failure to notify Conning of changes to your Personal Data may negatively impact the way Conning communicates or provides services to you. Where appropriate, Conning will advise others of any material amendments to your Personal Data that Conning may have released to them. If Conning does not agree to make the amendments that you request, you may challenge Conning's decision as described in [Contact Us](#).

8. Safeguarding your Personal Data

Conning uses physical, electronic and procedural safeguards to protect against unauthorized use, access, modification, destruction, disclosure, loss or theft of your [Personal Data](#) in Conning's custody or control.

Conning has agreements and controls in place with third party service providers requiring that any information Conning provides to them must be safeguarded and used only for the purpose of providing the service Conning has requested the company to perform.

Security over the internet

No data transmission over the Internet or website can be guaranteed to be secure from intrusion. However, Conning maintains commercially reasonable physical, electronic and procedural safeguards to protect your Personal Data in accordance with data protection legislative requirements.

All information you provide to Conning is stored on its or Conning's subcontractors' secure servers and accessed and used subject to Conning's security policies and standards. Where Conning has given you (or where you have chosen) a password which enables you to access certain parts of Conning's websites, you are responsible for keeping this password confidential and for complying with any other security procedures of which you have been notified by Conning. Conning asks you not to share a password with anyone.

9. Changes to this EEA Privacy Policy

From time to time, Conning may make changes to this EEA Privacy Policy.

This EEA Privacy Policy at

<https://www.conning.com/-/media/marketing/site/documents/disclosures/conning---fair-processing-notice.pdf> is always the most recent version.

Please see [Contact Us](#) to answer any questions you may have about Conning's EEA Privacy Policy.

10. Your Rights

If you have any questions in relation to Conning's use of your Personal Data, you should first contact Conning as per the [Contact Us](#) section below. Under certain conditions (in particular where Conning has directed the use of your Personal Data from one of its European branch offices), you may have the right to require Conning to:

- provide you with further details on the use Conning makes of your information;
- provide you with a copy of information that you have provided to Conning;
- update any inaccuracies in the Personal Data Conning holds (please see paragraph 7);
- delete any Personal Data that Conning no longer has a lawful ground to use;
- where processing is based on consent, to withdraw your consent so that Conning stops that particular processing (see paragraph 4 for marketing);
- object to any processing based on the legitimate interests ground unless Conning's reasons for undertaking that processing outweigh any prejudice to your data protection rights; and
- restrict how Conning uses your information while a complaint is being investigated.

Your exercise of these rights is subject to certain exemptions to safeguard the public interest (e.g. the prevention or detection of crime) and Conning's interests (e.g. the maintenance of legal privilege). If you exercise any of these rights, Conning will check your entitlement and respond in most cases within a month.

If you are not satisfied with Conning's use of your Personal Data or Conning's response to any exercise of these rights you have the right to complain to the data protection regulator in the country where the Conning company with which you deal is established (listed [here](#)).

Contact Us further details about how Conning uses your Personal Data will be set out in your customer contract with Conning

If you have any questions or concerns about Conning's privacy practices, the privacy of your Personal Data or you want to change your privacy preferences, please let Conning know.

To manage your email preferences, please contact the Data Protection Liaison or the Data Protection Contacts in the United Kingdom or Germany, or get in touch with him/her using the details below:

Conning

Data Protection Liaison: Phil Durosko
One Financial Plaza, Hartford, CT 06103
+1-860-299-2141
phil.durosko@conning.com

Data Protection Contact-United Kingdom

Louisa Gjertsen
24 Monument Street, London, EC3R 8AJ, UK
+44 20 7337 1958
louisa.gjertsen@conning.com

Data Protection Contact-Germany

Sylvia Carduck
Augustinerstr. 10, 50667 Köln
+49 (0)221 78 800 111
sylvia.carduck@conning.com

If after contacting Conning you do not feel that Conning has adequately addressed your concerns, you may contact the data protection regulator in the country where the Conning company with which you deal is established:

UK	The Information Commissioner's Office Call: +44 1625 545 745 Visit: https://ico.org.uk/
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Germany	Die Bundesbeauftragte für den Datenschutz und die Informationsfreiheit Call: +49 228 997799 0; +49 228 81995 0 Visit: http://www.bfdi.bund.de/
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ANNEX A: Definitions

Direct Marketing is Conning's communication with you such as mail, telemarketing or email, using your contact information, to inform you about products and services that Conning thinks may be of interest and value to you. This does not include communications regarding products or services that you currently have, including improved ways to use the products, or additional features of the products as well as transactional information.

Personal Data is information about an identifiable individual. It includes information that you have provided to Conning or was collected by Conning from other sources. It may include details such as your name and address, age and gender, personal financial records, identification numbers including your Social Insurance Number and personal references, to the extent permitted by local laws.

ANNEX B: Table of Legal Bases

Use of Personal Data under EU data protection laws must be justified under one of a number of legal “grounds” and Conning is required to set out the grounds in respect of each use in this policy. An explanation of the scope of the grounds available is set out below. Conning notes the grounds Conning uses to justify each use of your information next to the use in the “Uses of your Personal Data” section of this policy.

These are the principal legal grounds that justify Conning’s use of your information:

Consent: <i>where you have consented to Conning’s use of your information. More information is set out at Section 4. You may withdraw your consent by Contacting Us or clicking through unsubscribe wording in the relevant correspondence.</i>
Contract performance: <i>where your information is necessary to enter into or perform Conning’s contract with you.</i>
Legal obligation: <i>where Conning needs to use your information to comply with its legal obligations.</i>
Legitimate interests: <i>where Conning uses your information to achieve a legitimate interest and Conning’s reasons for using it outweigh any prejudice to your data protection rights.</i>
Legal claims: <i>where your information is necessary for Conning to defend, prosecute or make a claim against you, Conning or a third party.</i>
Substantial Public interest: <i>where Conning uses Personal Data relating to criminal convictions or political affiliations for a purpose that is expressly in the substantial public interest, including for the prevention or detection of crime or fraud</i>

Annex C: Processing for fraud prevention and detection purposes

- 1.1 Before Conning provides its services to you, Conning undertakes checks for the purposes of preventing fraud and money laundering, and to verify your identity. These checks require Conning to process personal data about you.
- 1.2 The personal data you have provided, Conning has collected from you, or Conning has received from third parties will be used to prevent fraud and money laundering, and to verify your identity.
- 1.3 Conning, fraud prevention and debt collection agencies may also enable law enforcement agencies to access and use your personal data to detect, investigate and prevent crime.
- 1.4 Conning processes your personal data on the basis that Conning has a legitimate interest in preventing fraud and money laundering, and to verify identity, in order to protect its business and to comply with laws that applies to Conning. Such processing is also a contractual requirement of the services or financing you have requested.
- 1.5 Fraud prevention agencies can hold your personal data for different periods of time, and if you are considered to pose a fraud or money laundering risk, your data can be held for up to six years.

Automated decisions

- 1.6 As part of the processing of your personal data, decisions may be made by automated means. This means Conning may automatically decide that you pose a fraud or money laundering risk if its processing reveals your behaviour to be consistent with money laundering or known fraudulent conduct, or is inconsistent with your previous submissions, or you appear to have deliberately hidden your true identity. You have rights in relation to automated decision making: if you want to know more please contact Conning's Data Protection Liaison or Data Protection Contacts in the United Kingdom or Germany.

Consequences of processing

- 1.7 As a consequence of processing, if Conning, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, Conning may refuse to provide the services you have requested, or to employ you, or Conning may stop providing existing services to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you. If you have any questions about this, please contact Conning's Data Protection Liaison or Data Protection Contacts in the United Kingdom or Germany.

- 1.8 Whenever fraud prevention agencies transfer your personal data outside of the EEA, they impose contractual obligations on the recipients of that data to protect your personal data to the standard required in the EEA. They may also require the recipient to subscribe to 'international frameworks' intended to enable secure data sharing.