

# PRIVACY NOTICE

## 1. PURPOSE OF THIS NOTICE

This notice describes how we collect and use personal data about you, in accordance with the General Data Protection Regulation (GDPR), the Data Protection Act [1998 OR 2018] and any other national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK ('Data Protection Legislation').

Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

## 2. ABOUT US

Robert S Boys which is a trading name of Robert S Boys Ltd is an accountancy and tax advisory firm which is registered to carry out audit work in the UK and Ireland by the Institute of Chartered Accountants in England and Wales. We are registered in England and Wales as a limited company under number 07478154 and our registered office is at 28-30 Grange Road West, Birkenhead, Wirral, CH41 4DA.

For the purpose of the Data Protection Legislation and this notice, we are the 'data controller'. This means that we are responsible for deciding how we hold and use personal data about you. We are required under the Data Protection Legislation to notify you of the information contained in this privacy notice.

We have appointed a Head of Privacy. Our Head of Privacy is our Data Protection Point of Contact and is responsible for assisting with enquiries in relation to this privacy notice or our treatment of your personal data. Should you wish to contact our Data Protection Point of Contact you can do so using the contact details noted at paragraph 12 (Contact Us), below.

## 3. HOW WE MAY COLLECT YOUR PERSONAL DATA

We obtain personal data about you, for example, when:

- you request a proposal from us in respect of the services we provide;
- you or your employer or our clients engages us to provide our services and also during the provision of those services;
- you contact us by email, telephone, post or social media (for example when you have a query about our services); or
- from third parties and/or publicly available resources (for example, from your employer or from Companies House)

## 4. THE KIND OF INFORMATION WE HOLD ABOUT YOU

The information we hold about you may include but is not limited to the following:

- your personal details (such as your name and/or address); National Insurance number, contact information, employment history, UTR number, bank account details.
- details of contact we have had with you in relation to the provision, or the proposed

provision, of our services;

- details of any services you have received from us;
- our correspondence and communications with you;
- information about any complaints and enquiries you make to us;
- information from research, surveys, and marketing activities
- Information we receive from other sources, such as publicly available information, information provided by your employer or our clients.

## 5. HOW WE USE PERSONAL DATA WE HOLD ABOUT YOU

We may process your personal data for purposes necessary for the performance of our contract with you OR your employer OR our clients and to comply with our legal obligations.

We may process your personal data for the purposes necessary for the performance of our contract with our clients. This may include processing your personal data where you are an employee, subcontractor, supplier or customer of our client.

We may process your personal data for the purposes of our own legitimate interests provided that those interests do not override any of your own interests, rights and freedoms which require the protection of personal data. This includes processing for marketing, business development, statistical and management purposes.

We may process your personal data for certain additional purposes with your consent, and in these limited circumstances where your consent is required for the processing of your personal data then you have the right to withdraw your consent to processing for such specific purposes.

Please note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data. These are:-

- “legitimate interests”. Under “legitimate Interests” we can process your personal information if we have a genuine reason and we are not harming any of your rights and interests.
- “A contract with the individual” e.g. to supply goods or services you have requested, or to fulfil obligations under an employment contract.
- We may receive personal data from you for the purpose of our money laundering checks. This data will only be processed for the purposes of preventing money laundering and terrorist financing or as otherwise permitted by law or with your express consent.

### **Situations in which we will use your personal data**

We may use your personal data in order to:

- carry out our obligations arising from any agreements entered into between you or your employer or our clients and us which will most usually be for the provision of our services.

- carry out our obligations arising from any agreements entered into between our clients and us which will most usually be for the provision of our services where you may be a subcontractor, supplier or customer of our client;
- provide you with information related to our services and our events and activities that you request from us or which we feel may interest you, provided you have consented to be contacted for such purposes;
- notify you about any changes to our services.

In some circumstances we may anonymise or pseudonymise the personal data so that it can no longer be associated with you, in which case we may use it without further notice to you.

If you refuse to provide us with certain information when requested, we may not be able to perform the contract we have entered into with you. Alternatively, we may be unable to comply with our legal or regulatory obligations.

We may also process your personal data without your knowledge or consent, in accordance with this notice, where we are legally required or permitted to do so.

### **Data retention**

We will only retain your personal data for as long as is necessary to fulfil the purposes for which it is collected.

When assessing what retention period is appropriate for your personal data, we take into consideration:

- the requirements of our business and the services provided;
- any statutory or legal obligations;
- the purposes for which we originally collected the personal data;
- the lawful grounds on which we based our processing;
- the types of personal data we have collected;
- the amount and categories of your personal data; and
- whether the purpose of the processing could reasonably be fulfilled by other means.

### **Change of purpose**

Where we need to use your personal data for another reason, other than for the purpose for which we collected it, we will only use your personal data where that reason is compatible with the original purpose.

Should it be necessary to use your personal data for a new purpose, we will notify you and communicate the legal basis which allows us to do so before starting any new processing.

## 6. DATA SHARING

### **Why might you share my personal data with third parties?**

We will share your personal data with third parties where we are required by law, where it is necessary to administer the relationship between us or where we have another legitimate interest in doing so.

### **Which third-party service providers process my personal data?**

“Third parties” includes third-party service providers. The following activities are carried out by third-party service providers: IT and cloud services, professional advisory services and banking services

All of our third-party service providers are required to take commercially reasonable and appropriate security measures to protect your personal data. We only permit our third-party service providers to process your personal data for specified purposes and in accordance with our instructions.

### **What about other third parties?**

We may share your personal data with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal data with a regulator or to otherwise comply with the law.

## 7. TRANSFERRING PERSONAL DATA OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)

We will not transfer the personal data we collect about you outside of the EEA.

## 8. DATA SECURITY

We have put in place commercially reasonable and appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data 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.

## 9. RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

### **Your duty to inform us of changes**

It is important that the personal data we hold about you is accurate and current. Should your personal information change, please notify us of any changes of which we need to be made aware by contacting us, using the contact details below.

### **Your rights in connection with personal data**

Under certain circumstances, by law you have the right to:

- Request access to your personal data. This enables you to receive details of the

personal data we hold about you and to check that we are processing it lawfully.

- Request correction of the personal data that we hold about you.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this basis. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal data to you or another data controller if the processing is based on consent, carried out by automated means and this is technically feasible.

If you want to exercise any of the above rights, please email our data protection point of contact Robert S Boys at [r.boys@robertsboys.co.uk](mailto:r.boys@robertsboys.co.uk),

You will not have to pay a fee to access your personal data (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.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

## **10. RIGHT TO WITHDRAW CONSENT**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose (for example, in relation to direct marketing that you have indicated you would like to receive from us), you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please email our data protection point of contact Robert S Boys at [r.boys@robertsboys.co.uk](mailto:r.boys@robertsboys.co.uk),

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

## **11. CHANGES TO THIS NOTICE**

Any changes we may make to our privacy notice in the future will be updated on our website.

This privacy notice was last updated on 25 May 2018.

## **12. CONTACT US**

If you have any questions regarding this notice or if you would like to speak to us about the manner in which we process your personal data, please email our *Data Protection Point of Contact* Robert S Boys at [r.boys@robertsboys.co.uk](mailto:r.boys@robertsboys.co.uk), or telephone our *Data Protection Point of Contact* on 0151 647 3926.

You also have the right to make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues, at any time. The ICO's contact details are as follows:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone - 0303 123 1113 (local rate) or 01625 545 745

Website - <https://ico.org.uk/concerns>

# *Supporting Explanatory notes*

The numbers used for the explanatory notes below refer to the relevant sections of the template privacy notice and to assist you in using the template.

## **1. Why does the privacy notice not refer to the Data Protection Act ?**

The Data Protection Bill 2017-2019, is intended to replace the Data Protection Act 1998, has not yet been enacted. The definition of data protection legislation does not, therefore, refer to it.

## **2. What if you are a sole trader or your firm is set up as a partnership rather than a limited liability company?**

The wording and contact details contained under 'About us' in paragraph 2 will need to be updated accordingly.

## **3. How you collect personal data**

The wording contained under paragraph 3, '*How we may collect your personal data*', contains brief example wording of how you/your firm may collect personal data. It is not an exhaustive list. You should review this wording and update it to reflect how you collect personal data to which the privacy notice relates.

You may decide to expand/list the various sources from which you collect personal data. In particular, if you collect personal data from specific third party sources and/or publicly available resources, these should be referenced here, together with the categories of personal data which are collected (e.g. contact details, bank details, pension details etc.).

## **4. Personal data held**

The wording contained under paragraph 4, 'The kind of information we hold about you' contains examples of the sorts of information you/your firm will collect in relation to the data subjects to which this privacy notice relates. Again, it is important that this is updated as necessary to reflect what data you/your firm processes. For example, you may wish to expand on this (depending on the services which you/your firm provides) to refer to information regarding national insurance numbers, tax codes, salary details etc.

## **5. Use of your personal information**

Paragraph 5, 'Situations in which we will use your personal data', should be updated by you/your firm to reflect what is done in practice. You may want to expand upon the wording contained in the template to cover in further detail:

- The purpose or activity to which the processing relates;
- The types of data you are processing in relation to that purpose or activity (for example, contact details, professional details); and
- The lawful basis for such processing (for example, to perform the contract or on the basis of your legitimate interest).

## **6. Recipients of personal data**

Paragraph 6, 'Data sharing', should be updated to include details of either the individual recipients or categories of recipients which receive the personal data to which the privacy notice relates. This may include entities within your group or other firms of your member network (if applicable) in addition to third parties (such as suppliers, professional advisors and regulators).

## **7. Transferring data to non EEA countries**

Paragraph 7, 'Transferring personal data outside the EEA', should be updated to what you/your firm does in practice. If you/your firm does not transfer data outside of the EEA, this should be noted here. Where data is transferred outside of the EEA, you should outline the legally permitted method on which such transfer(s) is/are made.

More detail on Adequacy Decisions by the European Commission are available [here](#).

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