

# Privacy Policy

## 1 Introduction

Baldwins is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“Baldwins” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes Baldwins.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

Baldwins’ Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) [DPO@baldwinsgroup.com](mailto:DPO@baldwinsgroup.com)

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <https://www.baldwinsaccountants.co.uk/>, particularly the contact us page <https://www.baldwinsaccountants.co.uk/contact-us>;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest Baldwins office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with Baldwins.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);

- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with Baldwins.

If you contact us concerning employment whether by letter, email or via our careers page <https://www.baldwinsaccountants.co.uk/careers> you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page <https://www.baldwinsaccountants.co.uk/careers> they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <https://www.baldwinsaccountants.co.uk/> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

Baldwins processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to Baldwins' internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.

We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

Baldwins may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b>                  | <b>Legal basis for data sharing</b>  |
|--|--|
| Suppliers (references)   | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks  | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies                            | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)                            | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants  | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes                      | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes                  | Legitimate interest  |
| HMRC   | Legal obligation   |
| Shareholders and Directors                                       | Performance of a contract  |
| Owner managers   | Performance of a contract  |
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal | Performance of a contract or legal obligation  |

|   |  |
|---|--|
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

Baldwins uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. Baldwins only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by Baldwins:

| <b>Processor or category of processor</b> | <b>Sub-contract service provided</b> |
|---|--------------------------------------|
| Amazon Web Services                       | Data hosting                         |

|   |  |
|---|--|
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

Baldwins does not perform any profiling based on personal data that has a legal or significant effect.

Baldwins does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;
- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

## 13 Your Rights

You have the following rights concerning your personal data:



|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

#### 14 [Your right to lodge a complaint with a supervisory authority](#)

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

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

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.

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- filling in forms on our website <https://scott-moncrieff.com/>, particularly the contact us page <https://www.scott-moncrieff.com/contact>;
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- corresponding with us by email;
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- Last name;
- Company name;
- Your nearest Scott-Moncrieff office;
- Web site address;
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- Telephone number;
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- Your name, home address and date of birth;
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- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with Scott-Moncrieff.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
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- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with Scott-Moncrieff.

If you contact us concerning employment whether by letter, email or via our careers page <https://www.scott-moncrieff.com/careers> you may provide:

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If you visit our website <https://scott-moncrieff.com/> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
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When an applicant becomes an employee, their personal data is processed subject to Scott-Moncrieff's internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

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| Independent Financial Advisers (IFAs)           | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants                               | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes     | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes | Legitimate interest  |
| HMRC  | Legal obligation   |
| Shareholders and Directors                      | Performance of a contract  |
| Owner managers                                  | Performance of a contract  |



|   |  |
|---|--|
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal                              | Performance of a contract or legal obligation  |
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

Scott-Moncrieff uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. Scott-Moncrieff only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by Scott-Moncrieff:

| Processor or category of processor | Sub-contract service provided |
|------------------------------------|-------------------------------|
|------------------------------------|-------------------------------|

|   |  |
|---|--|
| Amazon Web Services                                   | Data hosting   |
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

Scott-Moncrieff does not perform any profiling based on personal data that has a legal or significant effect.

Scott-Moncrieff does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;
- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

## 13 Your Rights

You have the following rights concerning your personal data:

|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

## 14 Your right to lodge a complaint with a supervisory authority

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.

# Privacy Policy

## 1 Introduction

Campbell Dallas is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“Campbell Dallas” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes Campbell Dallas.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

Campbell Dallas’ Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) DPO@baldwinsgroup.com

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <https://www.campbelldallas.co.uk/>, particularly the contact us page <https://www.campbelldallas.co.uk/contact-us/>;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest Campbell Dallas office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with Campbell Dallas.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);

- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with Campbell Dallas.

If you contact us concerning employment whether by letter, email or via our careers page <https://www.campbelldallas.co.uk/careers/working-campbell-dallas/> you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page <https://www.campbelldallas.co.uk/careers/working-campbell-dallas/> they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <https://www.campbelldallas.co.uk/> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

Campbell Dallas processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to Campbell Dallas' internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.



We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

Campbell Dallas may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b> | <b>Legal basis for data sharing</b>  |
|---|--|
| Suppliers (references)                          | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks   | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies           | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)           | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants                               | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes     | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes | Legitimate interest  |
| HMRC  | Legal obligation   |
| Shareholders and Directors                      | Performance of a contract  |
| Owner managers                                  | Performance of a contract  |

|   |  |
|---|--|
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal                              | Performance of a contract or legal obligation  |
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

Campbell Dallas uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. Campbell Dallas only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by Campbell Dallas:

| Processor or category of processor | Sub-contract service provided |
|------------------------------------|-------------------------------|
|------------------------------------|-------------------------------|

|   |  |
|---|--|
| Amazon Web Services                                   | Data hosting   |
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

Campbell Dallas does not perform any profiling based on personal data that has a legal or significant effect.

Campbell Dallas does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;
- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

## 13 Your Rights

You have the following rights concerning your personal data:

|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

## 14 Your right to lodge a complaint with a supervisory authority

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.

# Privacy Policy

## 1 Introduction

Booth Ainsworth is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“Booth Ainsworth” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes Booth Ainsworth.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

Booth Ainsworth’s Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) [DPO@baldwinsgroup.com](mailto:DPO@baldwinsgroup.com)

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <http://www.boothainsworth.co.uk/>, particularly the contact us page <https://www.boothainsworth.co.uk/contact>;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest Booth Ainsworth office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with Booth Ainsworth.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);



- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with Booth Ainsworth.

If you contact us concerning employment whether by letter, email or via our careers page you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <http://www.boothainsworth.co.uk/> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

Booth Ainsworth processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to Booth Ainsworth's internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.

We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

Booth Ainsworth may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b> | <b>Legal basis for data sharing</b>  |
|---|--|
| Suppliers (references)                          | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks   | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies           | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)           | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants                               | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes     | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes | Legitimate interest  |
| HMRC  | Legal obligation   |
| Shareholders and Directors                      | Performance of a contract  |
| Owner managers                                  | Performance of a contract  |

|   |  |
|---|--|
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal                              | Performance of a contract or legal obligation  |
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

Booth Ainsworth uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. Booth Ainsworth only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by Booth Ainsworth:

| Processor or category of processor | Sub-contract service provided |
|------------------------------------|-------------------------------|
|------------------------------------|-------------------------------|

|   |  |
|---|--|
| Amazon Web Services                                   | Data hosting   |
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

Booth Ainsworth does not perform any profiling based on personal data that has a legal or significant effect.

Booth Ainsworth does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;
- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

## 13 Your Rights

You have the following rights concerning your personal data:

|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

## 14 Your right to lodge a complaint with a supervisory authority

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.



# Privacy Policy

## 1 Introduction

Gardners is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“Gardners” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes Gardners.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

Gardners’ Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) [DPO@baldwinsgroup.com](mailto:DPO@baldwinsgroup.com)

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <https://gardnersaccountants.co.uk/>, particularly the contact us page <https://gardnersaccountants.co.uk/contact/>;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest Gardners office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with Gardners.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);

- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with Gardners.

If you contact us concerning employment whether by letter, email or via our careers page <https://gardnersaccountants.co.uk/careers/> you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page <https://gardnersaccountants.co.uk/careers/> they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <https://gardnersaccountants.co.uk/> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

Gardners processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to Gardners' internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.

We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

Gardners may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b>                  | <b>Legal basis for data sharing</b>  |
|--|--|
| Suppliers (references)   | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks  | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies                            | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)                            | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants  | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes                      | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes                  | Legitimate interest  |
| HMRC   | Legal obligation   |
| Shareholders and Directors                                       | Performance of a contract  |
| Owner managers   | Performance of a contract  |
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal | Performance of a contract or legal obligation  |

|   |  |
|---|--|
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

Gardners uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. Gardners only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by Gardners:

| <b>Processor or category of processor</b> | <b>Sub-contract service provided</b> |
|---|--------------------------------------|
| Amazon Web Services                       | Data hosting                         |

|   |  |
|---|--|
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

Gardners does not perform any profiling based on personal data that has a legal or significant effect.

Gardners does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;
- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

## 13 Your Rights

You have the following rights concerning your personal data:



|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

#### 14 [Your right to lodge a complaint with a supervisory authority](#)

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

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

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.

# Privacy Policy

## 1 Introduction

The Capital Allowances Partnership is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“The Capital Allowances Partnership” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes The Capital Allowances Partnership.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

The Capital Allowances Partnership’s Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) DPO@baldwingroup.com

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <https://www.cap-allow.com/privacy-policy.php>, particularly the contact us page <https://www.cap-allow.com/contact-us.php>;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest The Capital Allowances Partnership office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with The Capital Allowances Partnership.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);

- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with The Capital Allowances Partnership.

If you contact us concerning employment whether by letter, email or via our careers page you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <https://www.cap-allow.com/privacy-policy.php> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

The Capital Allowances Partnership processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to The Capital Allowances Partnership's internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.

We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

The Capital Allowances Partnership may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b> | <b>Legal basis for data sharing</b>  |
|---|--|
| Suppliers (references)                          | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks   | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies           | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)           | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants                               | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes     | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes | Legitimate interest  |
| HMRC  | Legal obligation   |
| Shareholders and Directors                      | Performance of a contract  |
| Owner managers                                  | Performance of a contract  |



|   |  |
|---|--|
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal                              | Performance of a contract or legal obligation  |
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

The Capital Allowances Partnership uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. The Capital Allowances Partnership only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by The Capital Allowances Partnership:

| <b>Processor or category of processor</b>             | <b>Sub-contract service provided</b>   |
|---|--|
| Amazon Web Services                                   | Data hosting   |
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

The Capital Allowances Partnership does not perform any profiling based on personal data that has a legal or significant effect.

The Capital Allowances Partnership does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;

- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

### 13 Your Rights

You have the following rights concerning your personal data:

|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

### 14 Your right to lodge a complaint with a supervisory authority

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

Information Commissioner's Office

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.

# Privacy Policy

## 1 Introduction

Don't Fret about Debt is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

"Don't Fret about Debt" (and "we", "us", or "our") is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes Don't Fret about Debt.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner's Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

Don't Fret about Debt's Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) [DPO@baldwingroup.com](mailto:DPO@baldwingroup.com)

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client's preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <https://www.dontfretaboutdebt.net/>, particularly the contact us page <https://www.dontfretaboutdebt.net/contact-us/>;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest Don’t Fret about Debt office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with Don’t Fret about Debt.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);

- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with Don't Fret about Debt.

If you contact us concerning employment whether by letter, email or via our careers page you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <https://www.dontfretaboutdebt.net/> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

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## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

Don't Fret about Debt processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to Don't Fret about Debt's internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.



We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

Don't Fret about Debt may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b> | <b>Legal basis for data sharing</b>  |
|---|--|
| Suppliers (references)                          | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks   | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies           | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)           | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants                               | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes     | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes | Legitimate interest  |
| HMRC  | Legal obligation   |
| Shareholders and Directors                      | Performance of a contract  |
| Owner managers                                  | Performance of a contract  |

|   |  |
|---|--|
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal                              | Performance of a contract or legal obligation  |
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

Don't Fret about Debt uses specialist sub-contract organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. Don't Fret about Debt only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by Don't Fret about Debt:

| Processor or category of processor | Sub-contract service provided |
|------------------------------------|-------------------------------|
|------------------------------------|-------------------------------|

|   |  |
|---|--|
| Amazon Web Services                                   | Data hosting   |
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

Don't Fret about Debt does not perform any profiling based on personal data that has a legal or significant effect.

Don't Fret about Debt does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;
- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

## 13 Your Rights

You have the following rights concerning your personal data:

|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

## 14 Your right to lodge a complaint with a supervisory authority

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.

# Privacy Policy

## 1 Introduction

Wilkins Kennedy is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“Wilkins Kennedy” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes Wilkins Kennedy.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

Wilkins Kennedy’s Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) [DPO@baldwinsgroup.com](mailto:DPO@baldwinsgroup.com)

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <https://www.wilkinskennedy.com/>, particularly the contact us page ;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest Wilkins Kennedy office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with Wilkins Kennedy.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);



- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with Wilkins Kennedy.

If you contact us concerning employment whether by letter, email or via our careers page <https://www.wilkinskennedy.com/careers/working-wilkins-kennedy/your-career-wilkins-kennedy/> you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page <https://www.wilkinskennedy.com/careers/working-wilkins-kennedy/your-career-wilkins-kennedy/> they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <https://www.wilkinskennedy.com/> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

Wilkins Kennedy processes personal data for many different purposes:

## 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to Wilkins Kennedy's internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

#### 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.

We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

### 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

#### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

#### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal

Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

Wilkins Kennedy may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b> | <b>Legal basis for data sharing</b>  |
|---|--|
| Suppliers (references)                          | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks   | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies           | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)           | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants                               | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes     | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes | Legitimate interest  |
| HMRC  | Legal obligation   |

|   |  |
|---|--|
| Shareholders and Directors  | Performance of a contract  |
| Owner managers  | Performance of a contract  |
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal                              | Performance of a contract or legal obligation  |
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

Wilkins Kennedy uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. Wilkins Kennedy only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by Wilkins Kennedy:

| <b>Processor or category of processor</b>             | <b>Sub-contract service provided</b>   |
|---|--|
| Amazon Web Services                                   | Data hosting   |
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

Wilkins Kennedy does not perform any profiling based on personal data that has a legal or significant effect.

Wilkins Kennedy does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;
- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

## 13 Your Rights

You have the following rights concerning your personal data:

|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

## 14 Your right to lodge a complaint with a supervisory authority

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.



# Privacy Policy

## 1 Introduction

Wilkins Kennedy Corporate Finance is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“Wilkins Kennedy Corporate Finance” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes Wilkins Kennedy Corporate Finance.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

Wilkins Kennedy Corporate Finance’s Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) [DPO@baldwingroup.com](mailto:DPO@baldwingroup.com)

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <https://www.wkcorporatefinance.com/>, particularly the contact us page <https://www.wkcorporatefinance.com/contact-us>;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest Wilkins Kennedy Corporate Finance office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with Wilkins Kennedy Corporate Finance.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);

- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with Wilkins Kennedy Corporate Finance.

If you contact us concerning employment whether by letter, email or via our careers page <https://www.baldwinsaccountants.co.uk/careers> you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page <https://www.baldwinsaccountants.co.uk/careers> they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <https://www.wkcorporatefinance.com/> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

Wilkins Kennedy Corporate Finance processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to Wilkins Kennedy Corporate Finance's internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.

We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

Wilkins Kennedy Corporate Finance may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b> | <b>Legal basis for data sharing</b>  |
|---|--|
| Suppliers (references)                          | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks   | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies           | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)           | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants                               | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes     | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes | Legitimate interest  |
| HMRC  | Legal obligation   |
| Shareholders and Directors                      | Performance of a contract  |
| Owner managers                                  | Performance of a contract  |

|   |  |
|---|--|
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal                              | Performance of a contract or legal obligation  |
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

Wilkins Kennedy Corporate Finance uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. Wilkins Kennedy Corporate Finance only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by Wilkins Kennedy Corporate Finance:

| <b>Processor or category of processor</b>             | <b>Sub-contract service provided</b>   |
|---|--|
| Amazon Web Services                                   | Data hosting   |
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

Wilkins Kennedy Corporate Finance does not perform any profiling based on personal data that has a legal or significant effect.

Wilkins Kennedy Corporate Finance does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;



- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

### 13 Your Rights

You have the following rights concerning your personal data:

|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

### 14 Your right to lodge a complaint with a supervisory authority

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

Information Commissioner's Office

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.

# Privacy Policy

## 1 Introduction

Baldwins Technology Solutions is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“Baldwins Technology Solutions” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes Baldwins Technology Solutions.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

Baldwins Technology Solutions’ Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) DPO@baldwingroup.com

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <https://www.baldwins.tech/>, particularly the contact us page <https://www.baldwins.tech/contact.php>;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest Baldwins Technology Solutions office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with Baldwins Technology Solutions.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);

- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with Baldwins Technology Solutions.

If you contact us concerning employment whether by letter, email or via our careers page you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <https://www.baldwins.tech/> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

Baldwins Technology Solutions processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to Baldwins Technology Solutions' internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.

We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

Baldwins Technology Solutions may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b> | <b>Legal basis for data sharing</b>  |
|---|--|
| Suppliers (references)                          | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks   | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies           | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)           | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants                               | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes     | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes | Legitimate interest  |
| HMRC  | Legal obligation   |
| Shareholders and Directors                      | Performance of a contract  |
| Owner managers                                  | Performance of a contract  |



|   |  |
|---|--|
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal                              | Performance of a contract or legal obligation  |
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

Baldwins Technology Solutions uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. Baldwins Technology Solutions only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by Baldwins Technology Solutions:

| <b>Processor or category of processor</b>             | <b>Sub-contract service provided</b>   |
|---|--|
| Amazon Web Services                                   | Data hosting   |
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

Baldwins Technology Solutions does not perform any profiling based on personal data that has a legal or significant effect.

Baldwins Technology Solutions does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;

- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

### 13 Your Rights

You have the following rights concerning your personal data:

|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

### 14 Your right to lodge a complaint with a supervisory authority

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

Information Commissioner's Office

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.

# Privacy Policy

## 1 Introduction

DHJH is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“DHJH” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes DHJH.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

DHJH’s Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) [DPO@baldwinsgroup.com](mailto:DPO@baldwinsgroup.com)

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <https://www.dhjh.co.uk/>, particularly the contact us page <https://www.dhjh.co.uk/index.php/contact>;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest DHJH office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with DHJH.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);

- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with DHJH.

If you contact us concerning employment whether by letter, email or via our careers page you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <https://www.dhjh.co.uk/> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

DHJH processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to DHJH's internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.



We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

DHJH may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b>                  | <b>Legal basis for data sharing</b>  |
|--|--|
| Suppliers (references)   | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks  | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies                            | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)                            | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants  | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes                      | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes                  | Legitimate interest  |
| HMRC   | Legal obligation   |
| Shareholders and Directors                                       | Performance of a contract  |
| Owner managers   | Performance of a contract  |
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal | Performance of a contract or legal obligation  |

|   |  |
|---|--|
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

DHJH uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. DHJH only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by DHJH:

| <b>Processor or category of processor</b> | <b>Sub-contract service provided</b> |
|---|--------------------------------------|
| Amazon Web Services                       | Data hosting                         |

|   |  |
|---|--|
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

DHJH does not perform any profiling based on personal data that has a legal or significant effect.

DHJH does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;
- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

## 13 Your Rights

You have the following rights concerning your personal data:

|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

#### 14 [Your right to lodge a complaint with a supervisory authority](#)

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

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

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.

# Privacy Policy

## 1 Introduction

DBS is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“DBS” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes DBS.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

DBS’ Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) DPO@baldwinsgroup.com

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website , particularly the contact us page ;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest DBS office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with DBS.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);
- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with DBS.



If you contact us concerning employment whether by letter, email or via our careers page you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

DBS processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to DBS' internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

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We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.

We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

DBS may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b>                  | <b>Legal basis for data sharing</b>  |
|--|--|
| Suppliers (references)   | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks  | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies                            | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)                            | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants  | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes                      | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes                  | Legitimate interest  |
| HMRC   | Legal obligation   |
| Shareholders and Directors                                       | Performance of a contract  |
| Owner managers   | Performance of a contract  |
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal | Performance of a contract or legal obligation  |
| Police e.g. criminal cases                                       | Legal obligation   |
| CPS – criminal cases   | Legal obligation   |

|   |  |
|---|--|
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

#### 10.1 Sub-contract Processing

DBS uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. DBS only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by DBS:

| <b>Processor or category of processor</b> | <b>Sub-contract service provided</b> |
|---|--------------------------------------|
| Amazon Web Services                       | Data hosting                         |
| Salesforce                                | Data Hosting and email sending       |
| Mail Chimp                                | Data hosting and email sending       |

|   |  |
|---|--|
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

### 11 Profiling and automated decision-making

DBS does not perform any profiling based on personal data that has a legal or significant effect.

DBS does not perform any automated decision-making involving personal data.

### 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;
- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

### 13 Your Rights

You have the following rights concerning your personal data:

|  |  |
|--|--|
|  |  |
|--|--|

|   |  |
|---|--|
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

#### 14 [Your right to lodge a complaint with a supervisory authority](#)

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

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Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

This Privacy Policy is version 191217 and was published 18<sup>th</sup> December 2019.



# Privacy Policy

## 1 Introduction

Baldwins Forensic Accounting is committed to protecting and respecting your privacy and complying with Data Protection Legislation including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This policy describes the personal data we collect from you and the legal basis for processing. It also describes your rights as a data subject.

## 2 About us

“Baldwins Forensic Accounting” (and “we”, “us”, or “our”) is a trading name of Baldwins Holdings Ltd (company number 06365189) with registered office at Churchill House, 59 Lichfield Street, Walsall, West Midlands, WS4 2BX. Baldwins Holdings Ltd is the controller of all personal data processed by the group of undertakings in the Baldwins group of companies, including some companies that trade under a trading name, which includes Baldwins Forensic Accounting.

## 3 Our Role

When we decide how and why Personal Data is processed, we are a Controller. When we process personal data on the explicit written instruction of our clients, we are a Processor. We conduct both these roles, in accordance with guidance issued by the Information Commissioner’s Office (ICO), the Institute of Chartered Accountants in England and Wales (ICAEW) and the Institute of Chartered Accounts in Scotland (ICAS).

## 4 Data Protection Officer

Baldwins Forensic Accounting’s Data Protection Officer is:

Andrew Long  
Baldwins Holdings Limited  
Churchill House  
59 Lichfield Street  
WALSALL  
West Midlands  
WS4 2BX

(t) 01922 611567

(e) [DPO@baldwingroup.com](mailto:DPO@baldwingroup.com)

## 5 How we obtain your personal data

We only collect such Personal Data that is necessary for us to perform our services and we ask clients only to share such Personal Data as required for that purpose. Where we identify that a client has provided us with unnecessary Personal Data, we either return that information to its source or destroy it, considering the client’s preference wherever possible.

### 5.1 Personal data that you provide to us by:

- Communicating with us by our secure portal “CoZone”;
- filling in forms on our website <https://www.baldwinsaccountants.co.uk/what-we-offer/by-service/forensic-accountancy-services>, particularly the contact us page ;
- corresponding with us by telephone;
- corresponding with us by email;
- corresponding with us by letter;
- If you visit our offices, you may record your details in a visitors’ book or electronic equivalent.

### 5.2 Personal data that we collect from publicly available sources

- from social media such as LinkedIn;
- from our own research activities such as reviewing websites.

### 5.3 Personal data that we receive from referrals

- We may receive unsolicited personal data in the form of a business-to-business referrals.

## 6 The personal data that we process about you

If you are a prospective customer, we process the following:

- First name;
- Last name;
- Company name;
- Your nearest Baldwins Forensic Accounting office;
- Web site address;
- Email address;
- Telephone number;
- Any further personal data that you chose to provide in your initial enquiry;
- Any further personal data that you choose to provide during subsequent discussions whether by phone, email or letter.

If you are a personal or sole trader customer, we also process the following:

- Your name, home address and date of birth;
- name, home address and date of birth of any family members, advocates or other beneficiaries and connected parties who are involved with your finances.

If you are a business customer, we also process the following:

- Company name, registration number, business type and industry sector;
- Name, home address and date of birth of officers of the company;
- Name, address, job title, email address and telephone number(s) of all employees who engage directly with Baldwins Forensic Accounting.

If you are a supplier, we process the following:

- Company name;
- Business type and industry sector;
- Company address(es);
- Company registration number;
- company telephone number(s);

- name, address, job title, email address and telephone number(s) of all employees who engage with or will engage with Baldwins Forensic Accounting.

If you contact us concerning employment whether by letter, email or via our careers page you may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may provide in a covering letter.

If a recruitment agency contacts us concerning employment whether by letter, email or via our careers page they may provide:

- Your Curriculum Vitae (CV) containing extensive personal data;
- Any further personal data that you may have provided in a covering letter.

If you visit our website <https://www.baldwinsaccountants.co.uk/what-we-offer/by-service/forensic-accountancy-services> we collect information about your computer:

- IP address (where available);
- Geographic location (if you allow this when prompted by your browser);
- Operating system;
- Browser type;
- To enable our systems to recognise your device and to provide features to you, we use cookies. For more information about cookies and how we use them, please read our Cookie Policy.

If you receive emails from us and interact with them, we collect:

- Time you received the email;
- Time you opened the email;
- Device you used to open the email;
- Geographical location when you opened the email;
- Which parts of the email you interacted with.

If you use social media accounts which are registered using the same email address you have provided to us elsewhere our systems enable us to link your social media accounts to your account and so we process:

- Links to any social media accounts that you use.

## 7 Special Category Person Data

We do not normally collect Special Category Personal Data such as health, race or ethnic origin. However, for certain services or activities, and when required by law or with an individual's consent this may be necessary. We always seek to minimise our processing of Special Category Personal Data.

## 8 Purpose for the processing and the legal basis for the processing

Baldwins Forensic Accounting processes personal data for many different purposes:

### 8.1 Recruitment

The legal basis for processing personal data for the purpose of recruitment is our legitimate interest to develop our business.

When an applicant becomes an employee, their personal data is processed subject to Baldwins Forensic Accounting's internal Privacy Policy.

Personal data collected from unsuccessful applicants is retained for 24 months after which it is securely destroyed.

## 8.2 Business Development

The legal basis for processing personal data for the purpose of business development is our legitimate interest to develop our business by undertaking sales and marketing activities.

When sending electronic marketing messages to existing clients concerning similar products or services to those already purchased, we rely on the "soft opt-in" approved by the Information Commissioner's Office.

The legal basis for sending electronic marketing messages to named individuals is consent. We retain evidence of the details of consent which has been provided.

We retain personal data collected through our business development processes for as long as we believe our products and services may be of interest to prospective customers. Individuals and organisations can ask to be removed from our business development system at any time.

## 8.3 Provision of services to our customers

The legal basis for processing personal data for the purpose of providing services to our customers depends upon the context, we use one or more of the following legal bases for processing:

- To perform our contract with our customers;
- To address our legitimate interests which include maintaining accurate records relating to accounting and finance and monitoring the quality of our services;
- To satisfy a legal obligation.

In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records and other documentary evidence created in the provision of services is 7 years. The exceptions to the general 7-year retention period are records (except audit files) relating to trusts, estates, wills, pension schemes, taxation and financial services which we retain for periods up to 30 years.

Our standard email retention period is 7 years.

Other records, which are not required to be retained as part of our professional services, are kept for a period of time depending on:

- The type, amount and categories of Personal Data we have collected;
- The requirements of our business and the services we provide;
- The purposes for which we originally collected the Personal Data;
- The lawful basis upon which we based our processing;
- Any relevant legal or regulatory obligations;
- Whether the purpose of the processing could be reasonably fulfilled by other means.

## 8.4 Procurement of services from suppliers

The legal basis for processing personal data for the purpose of procurement is our legitimate interest to maintain efficient and effective procurement processes.

We retain the personal data we collect from our suppliers for seven years after the contract ends unless some different retention period is warranted and documented in our procurement contract.

## 9 With Reference to our insolvency practice

Staff taking insolvency appointments are licensed in the United Kingdom by the Institute of Chartered Accountants in England and Wales, the Insolvency Practitioners Association, the Institute of Chartered Accountants of Scotland or Chartered Accountants Ireland to act as insolvency practitioners.

Work undertaken under insolvency appointments is subject to insolvency law and regulation (primarily the [Insolvency Act 1986](#), the [Insolvency Rules 1986](#), [The Insolvency Regulations 1994](#) and [The Insolvency Practitioners Regulations 2005](#)), court practice notes and the [Statements of Insolvency Practice](#).

In addition, insolvency practitioners are subject to [the ICAEW's Code of Ethics D](#) or, for members of those bodies, the equivalent codes set by the [Insolvency Practitioners Association](#), [Institute of Chartered Accountants of Scotland](#) or [Chartered Accountants Ireland](#). All insolvency practitioners are also expected to comply with the Joint Insolvency Code of Ethics.

### 9.1 Use of personal data

We process personal data to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are controllers of personal data in so far as defined by data protection legislation. We act as a processor acting on the explicit instructions from such insolvency practitioners about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data are kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### 9.2 The personal data we process in the insolvency practice

The personal data insolvency practitioners process in most cases are basic details that may identify an individual and are typically sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive (Special Category Personal Data), for example health records and this Special Category Personal Data has usually been created before our appointment. Although we take appropriate steps to safeguard Special Category Personal Data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we do not process Special Category Personal Data.

### 9.3 How long do we hold personal data in the insolvency practice?

Personal data is retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this is seven years after the matter has been concluded, after which it is securely destroyed.

## 10 Data Sharing

As with any provider of professional services, we are subject to legal, regulatory and professional obligations. We process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues).

We are also obliged to keep certain records to demonstrate that our services are provided in compliance with our legal, regulatory and professional obligations.

Baldwins Forensic Accounting may share data with the following organisations and for the lawful reasons shown.

| <b>Organisation or category of organisation</b> | <b>Legal basis for data sharing</b>  |
|---|--|
| Suppliers (references)                          | It is our legitimate interest to obtain references before appointing a new supplier to ensure that we only appoint reputable organisations as suppliers. |
| Banks   | Legal obligation (anti-fraud and anti-money laundering)  |
| Mortgage companies/Building Societies           | Legal obligation (anti-fraud and anti-money laundering)  |
| Independent Financial Advisers (IFAs)           | Legal obligation (anti-fraud and anti-money laundering)  |
| Other accountants                               | Legal obligation (anti-fraud and anti-money laundering)  |
| Targets e.g. for Corporate Finance purposes     | Legitimate interest  |
| Introducers e.g. for Corporate Finance purposes | Legitimate interest  |
| HMRC  | Legal obligation   |
| Shareholders and Directors                      | Performance of a contract  |
| Owner managers                                  | Performance of a contract  |

|   |  |
|---|--|
| Lawyers and barristers e.g. Forensics, Divorce, Family, Criminal                              | Performance of a contract or legal obligation  |
| Police e.g. criminal cases  | Legal obligation   |
| CPS – criminal cases  | Legal obligation   |
| Government bodies e.g. research or statistical offices, European bodies where we act for MEPs | Legal obligation   |
| Grant Aid bodies  | Performance of a contract  |
| Social Services   | Legal obligation   |
| Investors and other types of lenders  | Performance of a contract  |
| Pension Providers   | Legal obligation   |
| Payroll Companies and Intermediaries  | Performance of a contract  |
| Department of Work & Pensions   | Legal obligation   |
| Child Maintenance Services  | Legal obligation   |
| The Pensions Regulator  | Legal obligation   |
| Charities for the purpose of Give As You Earn   | Legal obligation   |
| Trade Unions  | Consent  |
| Regulators ICAEW, ICAS, ACCA, FRC, the Pensions Regulator                                     | Legal obligation   |
| Companies House   | Legal obligation   |
| Cogital (our parent company)  | Legitimate Interest  |
| Fidelius (joint venture)  | Legitimate interest  |
| Premium Credit  | If and only if you wish to avail yourself of credit facilities for our fees, we will share your contact details with your consent. |
| Irwin Mitchell Llp  | If and only if you are a customer of our probate service, we will share your personal data with your consent.                      |

### 10.1 Sub-contract Processing

Baldwins Forensic Accounting uses specialist sub-contact organisations to process personal data under a written contract which defines that they must comply with Data Protection legislation. Baldwins Forensic Accounting only employs organisations that comply with Data Protection Legislation. These organisations are audited to ensure compliance.

The following processors or categories of processors are used by Baldwins Forensic Accounting:

| <b>Processor or category of processor</b>             | <b>Sub-contract service provided</b>   |
|---|--|
| Amazon Web Services                                   | Data hosting   |
| Salesforce  | Data Hosting and email sending   |
| Mail Chimp  | Data hosting and email sending   |
| Azets   | Data Hosting of CoZone   |
| Ideagen   | Data Hosting of Pentana  |
| BACS providers  | Payment processing   |
| Croner Taxwise  | Tax Investigation insurance  |
| Specialist accountancy advisors and service providers | Advice upon complex accountancy matters and assistance with large volume accountancy matters |
| Legal advisors  | Advice upon matters of law   |
| Off-site storage providers                            | Secure storage and destruction of paper documents  |
| Specialist debt collectors                            | Debt collection  |
| Event management companies                            | Facilitating events including catering for dietary requirements                              |

## 11 Profiling and automated decision-making

Baldwins Forensic Accounting does not perform any profiling based on personal data that has a legal or significant effect.

Baldwins Forensic Accounting does not perform any automated decision-making involving personal data.

## 12 International Transfers

We neither transfer nor process personal data outside the United Kingdom, nor do we permit personal data to be transferred or processed outside the United Kingdom, unless it is under one or more of the following conditions:

- the territory into which the data are being transferred is one approved by the UK's Information Commissioner;
- the territory into which the data are being transferred is within the European Economic Area;
- the territory into which the data are being transferred has an adequacy decision issued by the European Commission;
- the transfer is to the United States of America and the recipient is registered under the EU/US Privacy Shield scheme;
- the transfer is made under the unaltered terms of the standard contractual clauses issued by the European Commission for such purposes;
- the transfer is made under the provision of binding corporate rules which have been approved and certified by the European Commission;



- the transfer is made in accordance with one of the exceptions set out in Data Protection Legislation.

### 13 Your Rights

You have the following rights concerning your personal data:

|   |  |
|---|--|
|   |  |
| Right of access   | You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.  |
| Right to rectification  | You have the right to oblige us to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.  |
| Right to erasure (right to be forgotten)                      | You have the right (under certain circumstances, but not all) to oblige us to erase personal data concerning you.  |
| Right to restriction of processing                            | You have the right (under certain circumstances, but not all) to oblige us to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.   |
| Right to data portability                                     | You have the right (under certain circumstances, but not all) to oblige us to provide you with the personal data about you which you have provided in a structured, commonly used and machine-readable format.<br><br>You also have the right to oblige us to transmit those data to another controller. |
| Right to withdraw consent                                     | If the lawful basis for processing is consent, you have the right to withdraw that consent.  |
| Right to object to direct marketing                           | Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.  |
| Rights in relation to automated decision making and profiling | We do not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.   |

### 14 Your right to lodge a complaint with a supervisory authority

If you wish to exercise any of your rights concerning your personal data, you should contact our Data Protection Office at the address shown above. If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is:

Information Commissioner's Office

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

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