

GDPR (General Data Protection Regulation) NOTICE

1. PURPOSE OF THIS NOTICE

This notice describes how and why Hall Hemeil & Co. Ltd (“HH”, “we”, “our”, and “us”) collect and use personal data and provides information about individuals’ rights in accordance with data protection legislation. It applies to personal data provided to us, both by individuals themselves or by others. Personal data is any information relating to an identified or identifiable living person.

‘Data protection legislation’ means all applicable privacy and data protection legislation and regulations including:

before 25 May 2018, the Data protection Act 1998; and

from 25 May 2018 onwards, the GDPR, and any applicable national laws, regulations and secondary legislation in the UK relating to the processing of personal data and the privacy of electronic communications, as amended, replaced or updated from time to time.

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

2. ABOUT US

Hall Hemeril & Co. Ltd is an accountancy, business and tax advisory firm. We are registered in England and Wales as a limited company under number: 12997569 and our registered office is at 5 The Quadrant, Hoylake, Wirral, Merseyside, CH47 2EE.

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

We have appointed a person with the responsibility for data protection compliance within the firm and is our Data Protection Point of Contact for assisting with enquiries in relation to this privacy notice or our treatment of your personal data. Should you wish to contact our Data Protection Point of Contact you can do so using the contact details noted in paragraph 11 (Contact Us), below.

3. HOW WE MAY COLLECT YOUR PERSONAL DATA

To find out more please go to the sections of this statement that are relevant to you.

Corporate clients (and individuals associated with our corporate clients) and Personal clients

We will only collect personal data necessary for agreed purposes and we ask our clients to only share personal data where it is strictly needed for those purposes.

Where we process personal data, we ask our clients to provide the necessary information enabling us to carry out our work on your behalf.

We obtain personal data for example, when:

- you request a proposal from us in respect of the services we provide
- we obtain relevant information from third parties from the routine checks conducted before we accept you as a client
- you engage us to provide our professional services and also during the provision of those services
- you contact us by email, telephone, post, portal or social media (for example when you have a query about our services); or
- You provide an Annual Data Questionnaire, or
- from third parties (for example Power of Attorney, executors, solicitors, previous accountants, HMRC, mortgage providers, financial advisors, stockbrokers) and/or publicly available resources (for example, from Companies House)

Suppliers

We collect and process personal data about our suppliers in order to manage the relationship, contract, to receive services from our suppliers and, where relevant, to provide professional services to our clients.

Visitors to our offices

We have security measures in place at our office including building access controls.

We require visitors to our office to sign in at reception and keep a record of visitors for a short period of time. Our visitor records are securely stored and are only accessible on a need-to-know basis.

Business Contacts

We process personal data about contacts (existing and potential clients and individual associates to them). This may include name, employer name, contact title, phone, email and other business contact details. We may collect personal data about a contact when the contact contacts us by email, telephone, post, portal or social media (for example when you have a query about our services or on behalf of a client).

4. THE KIND OF PERSONAL DATA WE HOLD

We process many categories of personal data, including as appropriate for the services we are providing.

Corporate clients (and individuals associated with our corporate clients)

The personal data we hold may include the following:

- Director, secretary and shareholder details such as title, position, full name, contact details (including address, email address etc), contact details history and share dealings
- Family member details (if relevant to the service)
- Dates of birth, gender and/or age
- Copies of passport, driving licence or other identification documentation requested from directors, shareholders or other key personnel
- Records of your contact with us including meeting notes, telephone messages, letters, emails, portal information exchange and social media
- Details of related parties and transaction with them
- Names, payroll details (pay, National insurance numbers, tax codes, attachment of earning, student loans, pension and other deductions) and job descriptions of your employees
- Transactions with employees and related documentation
- Income, benefits or dividends paid to directors, key personnel, related parties or shareholders
- Details of the contract we have with you in relation to the provision, or the proposed provision, of our services
- Details of any services received from us
- Our correspondence and communications with you
- Information about any complaints and enquiries you make to us
- Information we receive from other sources, such as publicly available information, information provided from third parties or information from our HH network of firms.

Personal clients

The personal data we hold may include the following:

- Sole trader, Partner or individual client details such as title, position, full name, contact details (including telephone, mobile, address, email address etc), contact details history
- Family member details (if relevant to the service)

- Dates of birth, gender and/or age
- Personal tax information including business accounts, income, drawings, profit shares, capital introduced, assets, investments transaction details, national insurance number, UTR number, financial transactions, tax returns, tax payments, UK residence status, bank details, marital status, PAYE tax codes, Dividend vouchers, rental statements, life policy details, chargeable gain certificates, P60's, P11D's, consolidate tax vouchers, pension details, gift aid certificates, EIS/SEIS/VCT certificates, student loan statements, mortgage statements, spouses' details, children's details including date of birth, tax planning reports, partnership returns
- Copies of passport, driving licence or other identification documentation
- Records of your contact with us including meeting notes, telephone messages, letters, emails, portal information exchange and social media
- Details of related parties and transaction with them
- Names, payroll details (pay, National insurance numbers, tax codes, attachment of earning, student loans, pension and other deductions) and job descriptions of your employees
- Transactions with you or employees and related documentation
- Income, benefits or dividends paid to directors, key personnel, related parties or shareholders
- Details of the contract we have with you in relation to the provision, or the proposed provision, of our services
- Details of any services received from us
- Our correspondence and communications with you
- Information about any complaints and enquiries you make to us
- Information we receive from other sources, such as publicly available information, information provided from third parties or information from our HH network of firms.

Suppliers (including individuals associated with our suppliers)

Where a supplier is helping us to deliver professional services to our clients, we process personal data about individuals involved in providing the services in order to administer and manage our relationship with the supplier and the relevant individuals and to provide such services to our clients.

The personal data we hold may include the following:

- names and contact details of the supplier and the relevant individuals
- details of the contract we have with the supplier in relation to the provision, or the proposed provision of services

5. HOW WE USE PERSONAL DATA WE HOLD

We may process personal data for purposes necessary for the performance of our professional services contract with our clients and to comply with our legal obligations. This may include processing personal data of an employee, subcontractor, supplier or customer of our clients or an associate of our clients.

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

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

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

Situations in which we will use personal data

We may use personal data in order to:

- carry out our obligations arising from any agreements entered into between our clients and us (which will most usually be for the provision of our services) e.g providing advice, accounts preparation, tax returns, payroll etc
- carry out our obligations arising from any agreements entered into between our clients and us (which will most usually be for the provision of our services) where you may be a contractor, subcontractor, supplier or customer of our client
- provide information related to our services and our events and activities that are requested from us or which we feel may be of interest provided you have consented to be contacted for such purposes
- seek thoughts and opinions on the services we provide; and
- notify about any changes to our services

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

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

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

Data retention

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

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

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

Change of purpose

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

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

6. DATA SHARING

Why might we share personal data with third parties?

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

Which third-party service providers process personal data?

“Third parties” includes third-party service providers and other professional advisers and other entities within members of our firm’s HH network. The following activities are carried out by third-party service providers: IT and cloud-based services, website hosting, data back-up, professional advisory services, and banking services.

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

What about other third parties?

We may share personal data with other third parties, for example in the context of the possible sale or restructuring of the business. In this event we will take appropriate measures to ensure that the security of the client personal data continues to be ensured in accordance with data protection legislation. If a change happens to the business, then the new owners may use our client data in the same way as set out in these terms.

We may also need to share personal data with a regulator or to otherwise comply with the law.

7. DATA SECURITY

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

We have put in place procedures to deal with any suspected data security breach and will notify the individual and any applicable regulator of a suspected breach where we are legally required to do so.

8. RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Individuals' duty to inform us of changes

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

Individuals' rights in connection with personal data

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

- Request access to your personal data. This enables you to receive details of the personal data we hold about you and to check that we are processing it lawfully
- Request correction of the personal data that we hold about you
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below)
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this basis. You also have the right to object where we are processing your personal information for direct marketing purposes

- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it
- Request the transfer of your personal data to you or another data controller if the processing is based on consent, carried out by automated means and this is technically feasible

If you want to exercise any of the above rights, please email our data protection point of contact dataprotection@hallhemeril.co.uk.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

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

9. RIGHT TO WITHDRAW CONSENT

In the limited circumstances where an individual may have provided consent to the collection, processing and transfer of their personal data for a specific purpose (for example, in relation to direct marketing that they have indicated they would like to receive from us), they have a right to withdraw consent for that specific processing at any time. To withdraw your consent, please email our data protection point of contact dataprotection@hallhemeril.co.uk.

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

10. CHANGES TO THIS NOTICE

Any changes we may make to our privacy notice in the future will be updated on our website at www.hallhemeril.co.uk.

This privacy notice was last updated November 2020.

11. CONTACT US

If you have any questions regarding this notice or if you would like to speak to us about the manner in which we process your personal data, please email our *Data Protection Point of Contact* at www.hallhemeril.co.uk.

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

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

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

Website - <https://ico.org.uk/make-a-complaint>