

# PRIVACY NOTICE

## 1. PURPOSE OF THIS NOTICE

Your privacy is extremely important to us. At Brayne, Williams and Barnard Limited we're all about using the latest processes and software to provide professional, contemporary and efficient accounting solutions and we want you to be confident that the information you give us is safe and secure.

We will only use your personal information to deliver services you have requested from us, and to meet our legal responsibilities

In this Privacy Policy we'll explain how we collect and use personal data about you, in accordance with the General Data Protection Regulation (GDPR), the Data Protection Act 1998 and any other national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK ('Data Protection Legislation').

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

## **2. ABOUT US**

Brayne, Williams & Barnard Limited is an accountancy and tax advisory firm.. We are registered in England and Wales as a limited company under number 09839023 and our registered office is at Rosemount House, Rosemount Avenue, West Byfleet, Surrey, KT14 6LB.

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

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

### **3. HOW WE MAY COLLECT YOUR PERSONAL DATA**

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

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

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

The personal information we collect from you will vary depending on services you engage us to deliver. The information we hold about you may include the following:

- your personal details such as your name, contact details, date of birth, national insurance number, Unique Tax Reference (UTR) number, bank details, salary and pension details;
- details of contact we have had with you in relation to the provision, or the proposed provision, of our services;
- details of any services you have received from us;
- our correspondence and communications with you;
- information about any complaints and enquiries you make to us;
- information we receive from other sources, such as publicly available information, information provided by your employer or our clients.

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

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

In general terms, and depending on which services you engage us to deliver, as part of providing our agreed services we may use your information to:

- contact you by post, email or telephone
- verify your identity where this is required
- understand your needs and how they may be met
- maintain our records in accordance with applicable legal and regulatory obligations
- process financial transactions
- prevent and detect crime, fraud or corruption

We may occasionally contact you with details of any changes in legal and regulatory requirements or other developments that may be relevant to your affairs and, where applicable, how we may assist you further. If you do not wish to receive such information from us, please let us know by contacting us as indicated under 'Contact information' below.

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

We may process your personal data for the purposes of our own legitimate interests provided that those interests do not override any of your own interests, rights and freedoms which require the protection of personal data.

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

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

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

### **Change of purpose**

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

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

## 6. DATA RETENTION

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

We are required by legislation, other regulatory requirements and our insurers to retain your data where we have ceased to act for you. The period of retention required varies with the applicable legislation but is typically five or six years. To ensure compliance with all such requirements it is the policy of the firm to retain all data for a period of seven years from the end of the period concerned

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.

## 7. DATA ACCESS AND SHARING

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

We will not sell or rent your information to third parties or share your information with third parties for marketing purposes.

Any staff with access to your information have a duty of confidentiality under the ethical standards that this firm is required to follow.

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

We may pass your information to our third party service providers, agents, subcontractors and other associated organisations for the purposes of completing tasks and providing services to you on our behalf. The following activities are carried out by third-party service providers: IT and cloud services, professional advisory services, IR35 compliance reviews and payroll.

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

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

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

## 8. DATA SECURITY

Whilst we strive to protect your personal information, we cannot guarantee the security of any information you transmit to us, and you do so at your own risk.

Once we receive your information, we make our best effort to ensure its security on our systems. Where we have given, or where you have chosen, a password which enables you to access information, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

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

Your data will usually be processed in the UK. However, to allow us to operate efficient digital processes, we use some cloud service providers that store information outside the UK. We take the security of your data seriously so we have ensured all our data processors have appropriate security in place, which complies with all applicable UK legislative and regulatory requirements.

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



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

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

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

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

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

- Request access to your personal data. This enables you to receive details of the personal data we hold about you and to check that we are processing it lawfully.
- Request correction of the personal data that we hold about you.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this basis. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it. The right might also apply where there is no longer a basis for using your personal information but you do not want us to delete the data. Where this right is validly exercised, we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.
- 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 Emma Gabb at [emma@bwbca.com](mailto:emma@bwbca.com).

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

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

## **10. CHANGES TO THIS NOTICE**

Any changes we may make to our privacy notice in the future will be updated on our website at [www.bwbca.com/the-legal-bits](http://www.bwbca.com/the-legal-bits)

This privacy notice was last updated on 16 May 2018.

## 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 contact our Data Protection Point of Contact, Emma Gabb, by emailing [emma@bwbca.com](mailto:emma@bwbca.com) or by telephone on 01932 350117.

We seek to resolve directly all complaints about how we handle your personal information but you also have the right to make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues, at any time. The ICO's contact details are as follows:

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

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

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