

# GDPR COMPLIANCE

# DATA PROTECTION POLICIES

## DATA PROTECTION STATEMENT

### Introduction

Your personal data is data which by itself or with other data available to us can be used to identify you. We are **Rawcliffe & Co**, the data controllers. This data protection statement sets out how and why we will use your personal data. You can contact our Data Protection Lead, **Mr Malcolm Ashton**, at **Unit 1, Barons Court, Graceways, Whitehills Business Park, Blackpool, Lancashire, FY4 5GP** if you have any questions.

Where there are two or more people named, this data protection statement applies to each person separately.

### The types of personal data we collect and use

Whether or not you become a customer, we will use your personal data for the reasons set out below and if you become a customer we will use it in the course of our contractual business with you. We will collect this personal data to prepare your financial statements, prepare your personal tax returns, prepare your VAT returns, to process your payroll, audit, etc. The personal data we use may be about you as a personal or business customer and may include:

- Full name and personal details including:
  - Home address
  - Business name
  - Business address
  - Address history
  - Contact home, business and mobile telephone numbers
  - Email addresses
  - IP address
- Date of Birth and/or age
- Gender
- National insurance number
- Marital status
- Nationality
- Records of services provided by us in the past
- Job Title and profession
- Payment information

### Providing your personal details

We'll tell you if providing some personal data is optional, including if we ask for your consent to process it. In all other cases you must provide your personal data so we can honour our contract with you (unless you are an existing customer and we already hold those details).

### Using your personal data: the legal basis and purpose

We'll process your personal data:

1. As necessary **to perform our contract with you** for the relevant policy or service:
  - a. To take steps at your request before entering into it;
  - b. To decide whether to enter into it at our discretion;
  - c. To manage and perform that contract;
  - d. To update our records; and
  - e. To trace your whereabouts to contact you about your account and recovering debt.
2. As necessary for our own **legitimate interests** or those of other persons and organisations, e.g. For good governance, accounting, and managing and auditing our business operations
3. As necessary **to comply with a legal obligation**, e.g.:
  - a. When you exercise your rights under data protection laws and make requests;
  - b. For compliance with legal and regulatory requirements and related disclosures.
4. Based on your **consent**, e.g.:
  - a. When you request us to disclose your personal data to other people or organisations, or otherwise agree to disclosures;
  - b. To send out marketing communications where we have asked for your consent to do so.

You're free at any time to change your mind and withdraw your consent. This can be done by recorded delivery sent to our registered office which is currently **Unit 1, Barons Court, Graceways, Whitehills Business Park, Blackpool, Lancashire, FY4 5GP**. The consequence of this might be that we can't do certain things for you.

### **Sharing of your personal data**

Subject to applicable data protection law, we may share your personal data with:

- Subcontractors and other persons who help us to provide our products and services;
- Companies and other persons providing services to us;
- Our legal and other professional advisors;
- Government bodies and agencies in the UK and overseas (e.g. HMRC, the Information Commissioner's Office)
- Courts, to comply with legal requirements, and for the administration of justice;
- In an emergency or otherwise to protect your vital interests;
- To other parties linked to your account;
- To other parties who provide a service where you have indicated that you are looking for such service;
- Anyone else where we have your consent or where it is required by law.

### **Your marketing preferences**

We may use your home address, phone numbers, email address and social media (e.g. Facebook, twitter, google) to contact you according to your preferences. You can change your preferences or unsubscribe at any time by contacting us. In the case of social media messages, you can manage your social media preferences via that social media platform.

### **Your rights under applicable data protection law**

Your rights are as follows (noting that these rights don't apply in all circumstances and that data portability is only relevant from May 2018):

- The right to be informed about our processing of your personal data;
- The right to have your personal data corrected if it's inaccurate and to have incomplete personal data completed;
- The right to object to processing of your personal data (this right exists from the point of first communication);
- The right to restrict processing of your personal data;
- The right to have your personal data erased (the "right to be forgotten");
- The right to request access to your personal data and information about how we process it;

- The right to move, copy or transfer your personal data (“data portability”); and
- Rights in relation to automated decision making including profiling.

### **Requests made in relation to your data rights**

Any requests made to **Rawcliffe & Co** in relation to any of the above rights should be directed to our Data Protection Lead Staff Member. If **Rawcliffe & Co** is within its rights under the GDPR to refuse this request, you shall be informed of this decision as soon as possible.

Information given as a response to requests made under the above-named rights will ordinarily be provided free of charge to the requestee. However, **Rawcliffe & Co** reserves the right to charge a reasonable fee when a request is manifestly unfounded or excessive, or where we are asked to comply with requests for further copies of the same information.

The required information will be provided within one month of receipt of a valid request. **Rawcliffe & Co** reserves the right to extend the period of compliance by a further two months where requests are complex or numerous. If this is the case, you will be informed within one month of the receipt of the request and we will explain why the extension is necessary.

Any requests made verbally will be recorded under the terms set out by our data request recording policy below.

### **RECORDS MANAGEMENT POLICY**

This policy applies to the management of all documents and records, in all technical or physical formats or media, created or received by **Rawcliffe & Co** in the conduct of its business activities. It applies to all staff, contractors, consultants and third parties who are given access to our documents and records and information processing facilities.

**Rawcliffe & Co** makes every effort to create and manage records efficiently, make them accessible where possible, protect and store them securely and dispose of them safely at the right time (in conjunction with our Retention and Disposals Policy). **Rawcliffe & Co** make every effort to forward correspondence via electronic format, however where it is not agreeable by both parties, we will forward correspondence through Standard Royal Mail. When instructed by the Client **Rawcliffe & Co** will send correspondence by Recorded Delivery at a nominal charge.

**Rawcliffe & Co** conducts its records management in line with the relevant legislation, namely:

- The Data Protection Act 1998
- The Freedom of Information Act 2000
- Privacy and Electronic Communications Regulations 2003
- The Environmental Information Regulations 2004
- General Data Protection Regulation 2018

Records will only be kept when it is necessary for the operation of the business.

Regular reviews of **Rawcliffe & Co's** records management will be undertaken to identify, assess and manage records management risks. Where it is identified that a risk exists, steps will be taken to rectify such risk. Where it is identified that a record in any format is no longer necessary, that record will be erased.

All digital records of personal information will be held on devices secured by our Information Security Policy and internal information security procedure.

### **Recording Data Access Requests**

**Rawcliffe & Co** will keep a physical copy of any subject access requests made in relation to an individual's GDPR rights on a designated document.

This will be not be stored digitally, and will include only the very necessary details to make a record of the request.

## **Retention and Disposal of Data**

**Rawcliffe & Co** understands that personal data held by us shall only be used for a legitimate business purpose and shall be disposed of at such time that it is no longer necessary to hold the information.

Personal data held by **Rawcliffe & Co** in the performance of a contract will be held for as long as is necessary to ensure the completion of that contract. Where there is an expectation of future work relating to that personal data, **Rawcliffe & Co** will continue to hold the personal data after the performance of a contract has been completed but for no longer than 6 years.

Personal data held by **Rawcliffe & Co** with a person's express consent is held for as long as is considered reasonable given the nature of that consent and the purpose for which it was obtained. Any personal information held by consent will be regularly reviewed by the company.

Personal data held under **Rawcliffe & Co's** legitimate interest will be held for the length of time as such a legitimate interest exists but only if that interest is not overridden by the individual's own overriding personal rights.

Where legal or regulatory requirements apply for the retention of specific data, that data shall be retained for at least the minimum amount of time dictated by those requirements, but will be disposed of on expiry of those requirements.

Where a valid request of erasure is received, **Rawcliffe & Co** will dispose of all the personal data it holds under that request without delay in accordance with our operating procedures.

The retention and disposal of personal data held by **Rawcliffe & Co** shall be the responsibility of the designated Data Protection Lead staff member.

## **INFORMATION SECURITY POLICY**

**Rawcliffe & Co** understands the requirements of confidentiality, integrity and availability for the personal data we process.

**Rawcliffe & Co** uses personal computers and mobile devices in the course of our business. These devices will often hold your personal data and so we take the security of these devices very seriously.

All **Rawcliffe & Co** computers and mobile devices are secured by anti-virus software and other such digital security measures as we may think fit from time to time. They are also restricted by passwords that staff members are encouraged to keep robust.

**Rawcliffe & Co** also makes sure that we can restore access to personal data in the event of any incidents, such as by establishing an appropriate backup process.

Information Security will regularly be reviewed, and any identified threats, vulnerabilities, and potential impacts which are associated with **Rawcliffe & Co's** activities and information will be logged and analysed.

Physical copies of any personal or sensitive information shall be stored securely in line with our security procedure.

**You have the right to complain to the Information Commissioner's Office. It has enforcement powers and can investigate compliance with data protection law: [ico.org.uk](http://ico.org.uk).**

**For more details on all the above you can contact our Data Protection Lead staff member by phone or email at 01253 798812 or [malcolma@rawcliffeco.com](mailto:malcolma@rawcliffeco.com).**

***These policies will be reviewed every 12 months or more frequently as required to ensure that the Procedures remain compliant with the General Data Protection Regulation.***

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## OUR WEBSITE PRIVACY & COOKIE POLICY

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### BACKGROUND:

Rawcliffe & Co Ltd. understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of everyone who visits this website, <http://rawcliffe.co.uk/> (“Our Site”) and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

Please read this Privacy Policy carefully and ensure that you understand it. Your acceptance of this Privacy Policy is deemed to occur upon your first use of Our Site. If you do not accept and agree with this Privacy Policy, you must stop using Our Site immediately.

### 1. Definitions and Interpretation

In this Policy the following terms shall have the following meanings:

<b>“Account”</b>	means an account required to access and/or use certain areas and features of Our Site;
<b>“Cookie”</b>	means a small text file placed on your computer or device by Our Site when you visit certain parts of Our Site and/or when you use certain features of Our Site. Details of the Cookies used by Our Site are set out in Part 14 and 17 below; and
<b>“Cookie Law”</b>	means the relevant parts of the Privacy and Electronic Communications (EC Directive) Regulations 2003;

### 2. Information About Us

Our Site is owned and operated by Rawcliffe & Co Ltd. a limited company registered in England under company number 08932727.

Registered address: Unit 1, Barons Court, Graceways, Whitehills Business Park, Blackpool, Lancashire, FY4 5GP.

Address: Unit 1, Barons Court, Graceways, Whitehills Business Park, Blackpool, Lancashire, FY4 5GP.

VAT number: 155 0991 56.

Data Protection Officer: Mr Malcolm Ashton.

Email address: [malcolma@rawcliffeco.com](mailto:malcolma@rawcliffeco.com).

Telephone number: 01253 798812.

Postal Address: Unit 1, Barons Court, Graceways, Whitehills Business Park, Blackpool, Lancashire, FY4 5GP.

We are regulated by ICAEW.

We are a member of ICAEW.

### **3. What Does This Policy Cover?**

This Privacy Policy applies only to your use of Our Site. Our Site may contain links to other websites. Please note that we have no control over how your data is collected, stored, or used by other websites and we advise you to check the privacy policies of any such websites before providing any data to them.

### **4. What is Personal Data?**

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the “GDPR”) as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

### **5. What Are My Rights?**

Under the GDPR, you have the following rights, which we will always work to uphold:

The right to be informed about our collection and use of your personal data. This Privacy Policy should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 15.

The right to access the personal data we hold about you. Part 13 will tell you how to do this.

The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete. Please contact us using the details in Part 15 to find out more.

The right to be forgotten, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we have. Please contact us using the details in Part 15 to find out more.

The right to restrict (i.e. prevent) the processing of your personal data.

The right to object to us using your personal data for a particular purpose or purposes.

The right to data portability. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.

Rights relating to automated decision-making and profiling. We do not use your personal data in this way.

For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in Part 15.

Further information about your rights can also be obtained from the Information Commissioner’s Office or

your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

## **6. What Data Do We Collect?**

Depending upon your use of Our Site, we may collect some or all of the following personal and non-personal data (please also see Part 14 on our use of Cookies and similar technologies and our Cookie Policy Part 17

- Name;
- Email address;
- IP address;
- A list of URLs starting with a referring site, your activity on Our Site, and the site you exit to;

## **7. How Do You Use My Personal Data?**

Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for our performance of a contract with you, because you have consented to our use of your personal data, or because it is in our legitimate business interests to use it. Your personal data will be used for the following purposes:

- Providing and managing your Account;
- Providing and managing your access to Our Site;
- Supplying our services to you. Your personal details are required in order for us to enter into a contract with you.
- Personalising and tailoring our services for you.
- Communicating with you. This may include responding to emails or calls from you.
- Supplying you with information by email and post that you have opted-in to (you may unsubscribe or opt-out at any time by contact us at any time.

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email, telephone, text message and post with information, news, and offers on our services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.

## **8. How Long Will You Keep My Personal Data?**

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Your personal data will therefore be kept for the following periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

- All personal data will be retained for a period of 6 years in accordance with the Companies Act 2006.

## **9. How and Where Do You Store or Transfer My Personal Data?**

Depending upon your country of residence, we may store or transfer some or all of your personal data in countries that are not part of the European Economic Area (the "EEA" consists of all EU member states, plus

Norway, Iceland, and Liechtenstein). These are known as “third countries” and may not have data protection laws that are as strong as those in the UK and/or the EEA. This means that we will take additional steps in order to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the GDPR as follows.

We use specific contracts with external third parties that are approved by the European Commission for the transfer of personal data to third countries. These contracts ensure the same levels of personal data protection that would apply under the GDPR. More information is available from the [European Commission](#).

Please contact us using the details below in Part 15 for further information about the particular data protection mechanism used by us when transferring your personal data to a third country.

## **10. Do You Share My Personal Data?**

We will not share any of your personal data with any third parties for any purposes, subject to one important exception.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

If any of your personal data is required by a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations, and the third party’s obligations under the law, as described above in Part 9.

If any personal data is transferred outside of the EEA, we will take suitable steps in order to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the GDPR, as explained above in Part 9.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

## **11. How Can I Control My Personal Data?**

In addition to your rights under the GDPR, set out in Part 5, when you submit personal data via Our Site, you may be given options to restrict our use of your personal data. In particular, we aim to give you strong controls on our use of your data for direct marketing purposes (including the ability to opt-out of receiving emails from us which you may do by unsubscribing using the links provided in our emails).

You may also wish to sign up to one or more of the preference services operating in the UK: The Telephone Preference Service (“the TPS”), the Corporate Telephone Preference Service (“the CTPS”), and the Mailing Preference Service (“the MPS”). These may help to prevent you receiving unsolicited marketing. Please note, however, that these services will not prevent you from receiving marketing communications that you have consented to receiving.

## **12. Can I Withhold Information?**

You may access certain areas of Our Site without providing any personal data at all. However, to use all features and functions available on Our Site you may be required to submit or allow for the collection of certain data.

You may restrict our use of Cookies. For more information, see Part 14 and our Cookie Policy (Part 17)

### **13. How Can I Access My Personal Data?**

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”.

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 15. To make this as easy as possible for you, a Subject Access Request Form is available for you to use. You do not have to use this form, but it is the easiest way to tell us everything we need to know to respond to your request as quickly as possible.

There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within one month and, in any case, not more than one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

### **14. How Do You Use Cookies?**

We use Cookies to facilitate and improve your experience of Our Site and to provide and improve our services. We have carefully chosen these Cookies and have taken steps to ensure that your privacy and personal data is protected and respected at all times.

You can choose to enable or disable Cookies in your internet browser. Most internet browsers also enable you to choose whether you wish to disable all Cookies or only third-party Cookies. By default, most internet browsers accept Cookies, but this can be changed. For further details, please consult the help menu in your internet browser or the documentation that came with your device.

It is recommended that you keep your internet browser and operating system up-to-date and that you consult the help and guidance provided by the developer of your internet browser and manufacturer of your computer or device if you are unsure about adjusting your privacy settings.

### **15. How Do I Contact You?**

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details (for the attention of Mr Malcolm Ashton):

Email address: malcolma@rawcliffeco.com

Telephone number: 01253 798812

Postal Address: Unit 1, Barons Court, Graceways, Whitehills Business Park, Blackpool, Lancashire, FY4 5GP.

### **16. Changes to this Privacy Policy**

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be immediately posted on Our Site and you will be deemed to have accepted the terms of

the Privacy Policy on your first use of Our Site following the alterations. We recommend that you check this page regularly to keep up-to-date.

## **Our Cookie Policy**

A Cookie is a piece of data stored on the user's hard drive containing information about the user. Usage of a cookie is in no way linked to any personally identifiable information while on our site and is encrypted so cannot be read by any other website. Once the user closes their browser, the cookie simply terminates. It will also terminate once a period of time has elapsed since first using the site.

### **How we use Cookies**

We use cookies to help identify your computer so we can tailor your user experience. This means that we are able to use Google Analytics to see which of our pages you found most interesting (anonymously).

### **Functional Cookies**

This Website Will:

Track the pages you visit and the links you click on the Rawcliffe Website via Google Analytics

### **Targeting Cookies**

This Website Will:

Allow you to share pages with social networks such as Facebook and Twitter.

**This website will not share any personal information with third parties.**