

## **REQUIREMENTS OF THE DATA PROTECTION ACT (DPA) 2018 AND THE GENERAL DATA PROTECTION REGULATION (GDPR)**

The DPA 2018 and GDPR set out a number of requirements in relation to the processing of personal data.

Here at 'ADK ACCOUNTANCY LIMITED' we take your privacy and the privacy of the information we process seriously. We confirm that we will comply with the provisions of the General Data Protection Regulation (GDPR) when processing personal data about you, your directors and employees.

Processing means:

- obtaining, recording or holding personal data; or
- carrying out any operation or set of operations on personal data, including collecting and storage, organising, adapting, altering, using, disclosure (by any means) or removing (by any means) from the records manual and digital.

The information we obtain, process, use and disclose will be necessary for:

- the performance of the contract
- to comply with our legal and regulatory compliance and crime prevention
- contacting you with details of other services where you have consented to us doing so
- other legitimate interests relating to protection against potential claims and disciplinary action against us.

This includes, but is not limited to, purposes such as updating and enhancing our client records, analysis for management purposes and statutory returns.

In regard to our professional obligations, we are a member firm of Association of Chartered Certified Accountants (ACCA). Under the ethical and regulatory rules of ACCA we are required to allow access to client files and records for the purpose of maintaining our membership of this body.

Further details on the processing of data are contained in our privacy notice, which should be read alongside these terms and conditions.

## **PRIVACY NOTICE**

This privacy notice aims to give you information on how we collect and processes your personal data through the provision of our services to you and your use of this website, including any data you may provide through this website when you sign up to our newsletter.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

### **WHAT INFORMATION DO WE COLLECT?**

We collect different information depending on the nature and scope of our engagement, and the services we provide to you. The personal data we collect from our clients (and, where applicable, their employees, officers, contractors, agents, professional representatives and other third parties) may include:

- Identity information, such as name, title, place and date of birth, gender, nationality, marital status, organisation name and position, and information from photographic identity documents such as your driving license or passport information.
- Contact data, such as address and email and personal and business telephone details.
- Financial and employment information including business activities, income, bank account details, National Insurance number, Unique Taxpayer Reference, and other financial and taxation information. If you ask us to perform specific tax, accounting, company secretarial and payroll services, we may also ask you for further information including your immigration and/or visa status, income, work hours, any sick leave or holidays you have taken, and retirement and pension information.
- Marketing and communications data, including your preferences in receiving marketing and other communications from us.
- Information about people connected with you, such as the names and ages of your spouse, partner or children, and details of their employment. We will only ask for this information if it is necessary for us to provide the services you have requested. Please ensure that you do not provide us with the personal data of any other individual without their permission.

We search for actual or alleged criminal or civil convictions as part of our anti-money laundering checks. We may also collect information in respect of your marriage or civil or domestic partnership(s) if this is relevant to the services you have asked us to provide for you. Other than these, we do not usually collect 'special categories' of personal data from our

clients. ('Special categories' of data include details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, health information, or criminal convictions and offences.).

## **HOW WE COLLECT INFORMATION**

Different data is collected in different ways.

Personal data you provide to us

You may provide us with your identity and contact information; marketing and communications preferences; and financial data when you:

- provide us through our website enquiry form;
- join us as a client and undergo our 'know your client' and anti-money laundering process;
- provide us with access to your (or your organisation's) corporate and financial records; or

Personal data from third parties or publicly available sources

We may obtain or verify information from public sources (such as Companies House) and/or third parties search agencies for anti-money laundering purposes. Information obtained from third parties may include your name (and other family names), address, any directorships you hold, and any alleged or actual civil or criminal offences.

## **HOW AND WHY WE USE INFORMATION**

We will only use your information for the following purposes:

Providing professional services

We will process your financial, identity and contact information in order to provide the services you have requested. We may also process the data of your family members for this purpose (as set out above).

Where we have a legitimate interest (reasonable business purpose) for doing so

We will use your information for our legitimate business reasons where our doing so will not unduly affect your rights.

We use your identity and contact information to:

- Manage our relationship with clients
- Undertake client engagement procedures
- Monitor quality of services provided

- Keep our records up to date
- Create a profile of your interests and preferences so that we can contact you in the most appropriate way and with the most relevant information
- Develop our marketing strategy by seeing which people are the most interested in our services.
- Implement security measures, which might include automated scans to identify harmful emails

We may use any or all of the information above to administer and manage our business in general, and in the context of a business reorganisation or group restructuring exercise.

If you feel that your interests and fundamental rights outweigh our business purposes, and that we should therefore stop processing your data, please let us know.

Providing information about us and our services

If you sign up to our mailing lists, we will send you marketing information that you have consented to receive, including insights and invitations to events.

Complying with a legal or regulatory obligation

In certain circumstances, we may need to retain or use your data to comply with regulations and/or the law.

## **HOW WE SHARE INFORMATION**

We take your privacy seriously, and we do not sell, share, or transfer this information, except as set out in this statement.

We share your information with our trusted third party service providers who support us in providing our professional services and who help provide and manage some of our internal IT systems. These may include providers of IT, cloud based software providers, identity checking, website hosting & management, data back-up, security and storage services.

When we share your information with our service providers, we will ensure that your data is kept secure and used only in accordance with this notice.

We may also share your information with:

- Professional advisers acting as processors or joint controllers including consultants, lawyers, bankers, auditors, financial advisers and insurers who provide consultancy, banking, legal, financial, insurance and accounting services. We will only share your personal data with these parties with your express prior permission.

- HM Revenue & Customs, regulators and other government authorities or to other third parties in accordance with applicable law or regulation acting as processors or joint controllers who have the authority to obtain disclosure of personal data.

## **INTERNATIONAL TRANSFERS**

For the purpose of providing our services to you we may disclose client personal data to third parties (for example, our professional advisors or service providers).

The third parties to whom we disclose such personal data may be located outside of the United Kingdom. We will only disclose client personal data to a third party (including a third party outside of the United Kingdom) provided that the transfer is undertaken in compliance with the data protection legislation. Our vendors use a combination of mechanisms to ensure that such transfer(s) are in accordance with applicable data privacy, including the 'Model Clauses'.

## **DATA SECURITY**

The security of your personal information is important to us. We have a framework of policies and procedures in place covering data protection, confidentiality and security which are subject to regular review. . We seek to use reasonable physical (e.g. locking doors), technical (e.g. password protection, network firewalls, laptop encryption, authentication mechanisms), and administrative safeguards (e.g. confidentiality agreements, training, procedures that limit access to and use of data) to protect the information we process. However, no method of transferring data is completely secure. Therefore, while we strive to use reasonable and appropriate means to protect your personal information, we cannot guarantee absolute security.

If we become aware of a data breach and think that it may pose a high risk your rights, we will notify you without undue delay.

Your information will be held on central databases, computer files, in email record, or as paper records.

If for financial or technical reasons we need to use a supplier outside of the United Kingdom we will take steps to put in place suitable safeguards to protect your personal data.

## **HOW LONG WE KEEP YOUR DATA**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

We will retain your personal data in line with our records retention schedule unless a valid business reason exists which means we need to retain personal data for longer.

In the absence of specific legal, regulatory or contractual requirements, our retention period for records created in the provision of services is 7 years.

### **CONTINUTY ARRANGEMENTS**

Please note that we have arrangements in place for an alternate to deal with matters in the event of permanent incapacity or illness. This provides protection to you in the event that we cannot act on your behalf, and in joining our firm as a client you agree to the alternate having access to all of the information we hold in order to make initial contact with you and agree the work to be undertaken during our incapacity. You can choose to appoint another agent at that stage if you wish.

### **YOUR RIGHTS**

The law gives you certain rights over your personal data. You may:

- require us to rectify the personal data we hold about you, where that data is incorrect;
- require that we restrict the processing of your personal information in certain circumstances;
- request access to the personal data that we hold about you;
- require that, in certain circumstances, we delete the personal information we hold about you;
- require that we provide you with the personal information that we hold about you in a structured, commonly used and machine-readable format;
- withdraw your consent to our using your data for marketing purposes at any time; and/or
- lodge a complaint with the relevant supervisory authority.

If you wish to exercise any of these rights, please contact us at [info@adkaccountancy.com](mailto:info@adkaccountancy.com) or by writing to us at our address 3 Roseacre Road, Welling, DA16 2AD.

You also have the right to refer a complaint with the Information Commissioner's Office ("ICO"), which is the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, be grateful if you would contact us in the first instance so we can endeavour to deal with your concerns direct.

### **CHANGES TO THIS POLICY OR YOUR DATA**

We have an obligation to keep this privacy notice under regular review and we may therefore amend or modify this privacy notice from time to time. We will notify you of any such changes.

This privacy notice was last updated 26 May 2020.