

## Privacy Notice

***Last revised: 22<sup>nd</sup> May 2018***

This notice describes our privacy policy and explains how we comply with the General Data Protection Regulation (GDPR) and the Data Protection Act when collecting and using your personal data.

### **About us**

Worham Jaques is the trading name of Worham Jaques Limited, a firm of Chartered Accountants. We are a limited liability company registered in England and Wales under number 03617399. Our registered office and business address is 130a High Street, Crediton, Devon EX17 3LQ. We may also be contacted by telephone on 01363 774593 or by email to [crediton@worhamjaques.com](mailto:crediton@worhamjaques.com).

For the purposes of the Data Protection Legislation and this notice, we are a Data Controller and Data Processor, and we are registered as such with the Information Commissioner's Office (registration number ZA090078). 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.

### **Your protection under the law**

We are committed to maintaining the security of your personal data and privacy. Our privacy policy relates to our use of all personal data we collect from you. We are legally obliged to use your information in compliance with all applicable laws concerning the protection of personal data.

Your privacy is protected by law as well as by our privacy policy. The General Data Protection Regulation requires that we use your personal information only if we have one or more of these reasons for doing so:

- to perform a contract we have with you to provide our services;
- where it is our legal duty;
- when it is in our legitimate interest;
- when you consent to the use of the data.

We have a 'legitimate interest' when we have a business or commercial reason to use your information, provided that it does not go unfairly against your best interests.

### **How we may collect your personal data**

We obtain personal data about you when, for example:

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

### **The data we may collect about you**

The data we may collect and process is personal data. This may include your, or your employer's, or our client's name, address, date of birth, family relationships and email address, and details relating to your tax affairs, bank

accounts, investments, payroll information, accounting records and statutory returns. We will only collect personal data from you in relation to the provision of our services to you, your employer, or our client.

We may also require you to provide documentary evidence such as a driving licence, passport or birth certificate to enable us to comply with our obligations under anti-money laundering and anti-terrorism legislation.

### **How we may use your data**

We may use your personal data to:

- provide services to you, your employer, or our client under a contract, as set out in a letter of engagement agreed between us;
- provide you with information, products or services that you request from us or which we feel may interest you, where you have consented to be contacted for such purposes, or in accordance with our 'legitimate Interests';
- notify you about changes to our services;
- comply with our legal obligations including but not restricted to those imposed under the anti-money laundering, anti-terrorism financing and Criminal Finances Act legislation;
- aid in the investigation of and, when appropriate, in defending against complaints and potential disciplinary or legal proceedings; and
- invoice you for our services and respond to any fee disputes that may arise.

If you refuse to provide us with certain information when requested, we may not be able to perform the contract we have entered into with you or comply with our legal or regulatory obligations. In those circumstances we would be unable to commence or continue the provision of our services to you.

In certain limited circumstances we may also process your personal data without your knowledge or consent, when we are legally required or permitted to do so.

### **Legitimate Interests & Marketing**

We may process your data for the purposes of our own legitimate interests provided that those interests do not conflict with any of your own interests requiring the protection of your personal data. This includes processing for marketing, business development, statistical and management purposes.

If you are an existing client or contact, we may send you information about other products, events and services that we feel may be of interest to you. You have a right at any time to ask us to stop contacting you for marketing purposes.

We will never sell or otherwise provide your data to a third party for marketing purposes.

### **How we may share your data**

We may share your data with third party external organisations when we are required to by law, when it is necessary to provide you with our services, for the conduct of our business relationship, or when we have another legitimate interest in doing so.

We sometimes use third party service providers to help us provide our services to you. These may include:

- cloud accounting and payroll services including Xero, QuickBooks, Sage, or similar accounting and payroll processing services;
- email and secure document exchange systems including Microsoft Exchange, OneDrive, Google Backup & Sync, Dropbox and Egress Switch;

- Thomson Reuters' Digita suite.

We require all our third party service providers to take reasonable and appropriate security measures to protect your personal data, and only permit them to process that data for the purposes specified in the instructions we give them.

For the purpose of providing you with our services, we may send your data outside the European Economic Area (EEA). Where this is the case, we will take reasonable steps to ensure that your data is protected as it would be if processed in the EEA.

#### **Data security**

We have put in place commercially reasonable and appropriate security measures to protect your personal data from accidental loss and from unauthorised use, access, alteration or disclosure. We only ever allow access to your personal data to employees, agents, contractors and other third parties when it is necessary for the provision of our services. They are only permitted to process your personal data in accordance with our instructions, and they are subject to a strict duty of confidentiality.

We have 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.

#### **Data retention**

We will retain your personal data for no longer than is necessary. When determining the period for which it is necessary and appropriate to retain it we take the following factors into consideration:

- the requirements of our business and of the services we provide;
- our statutory or legal obligations;
- the purposes for which we originally collected the data;
- the lawful grounds on which we collected and processed the data;
- the nature of the personal data we have collected;
- whether the purpose of retaining the data could reasonably be achieved by other means.

#### **Data access**

We aim for a high degree of transparency regarding the personal data we hold. Under the GDPR you have the right to make a Subject Access Request for a copy of the information we hold about you. Any such request must be made in writing to our registered office address as detailed in the 'About us' section at the beginning of this document. If we hold personal data regarding you we will respond in writing within one calendar month of your request, provided that request was submitted in accordance with this policy.

The information we provide in response to your request will:

- confirm that we hold your data and state whether it is being processed;
- specify the legal basis for, and the purpose of, the processing;
- specify the categories of personal data being held and processed;
- specify the categories of recipients to whom the data have been or will be disclosed, and
- provide you with a copy of the data in a readily accessible form.

We may require proof of your identity to confirm your entitlement to the data.

If we do not hold any information about you we will advise you in writing as soon as possible.

### **Data deletion**

GDPR gives you the right to have your personal data deleted under certain circumstances. Any request for deletion must be submitted in writing to our registered office address and will be considered having regard to the specific circumstances of the request.

### **Data correction**

It is your responsibility to notify us of any changes to your personal data. If you consider that the data we hold is incorrect please notify us in writing to our registered office address, clearly specifying which data is incorrect or out of date, and we will correct or update it at the earliest opportunity.

### **Withdrawal of consent**

Where you have consented to our processing of your personal data, you have the right to withdraw that consent at any time. Please notify us immediately in writing to our registered office address if you wish to withdraw your consent. In this connection we must advise you that:

- the withdrawal of consent does not affect the legality of any earlier processing;
- if you withdraw your consent, we may not be able to continue providing our services to you;
- even after you have withdrawn your consent, it may still be necessary and lawful for us to process your data on an alternative legal basis, for example to comply with our legal or regulatory obligations.

### **Changes to this notice**

We keep our privacy policy under regular review, so you should check this notice regularly to ensure you are aware of any changes.

### **Questions or complaints**

If you have any questions regarding this notice or if you are unhappy about the way we collect and process your personal data, please email David Jaques ([dj@worthamjaques.com](mailto:dj@worthamjaques.com)) or telephone 01363 774593.

You also have the right to lodge a complaint with the Information Commissioner's Office (ICO), whose 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>