

## FREEMAN BAKER LIMITED PRIVACY NOTICE

### 1. PURPOSE OF THIS NOTICE

This notice describes how we collect and use personal data about you, in accordance with the General Data Protection Regulation (GDPR), the Data Protection Act 2018 and any other national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK ('Data Protection legislation')

### 2. ABOUT US

Freeman Baker Limited is an accountancy and tax advisory firm. We are registered in England and Wales as a limited company under number: 06462567. Our registered office is at Verulam House, 1 Cropmead, Crewkerne, Somerset, TA18 7HQ.

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 Head of Privacy. Our Head of Privacy 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 15 (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;
- when you or your employer or a client engages us to provide our services and also during the provision of those services;
- when you contact us by email, telephone, post, our website or social media (for example when you have a query about our services); or
- from third parties and/or publicly available resources (for example, from your employer or from Companies House)
- if you supply us with goods or services.

#### What we do with information received by us which we do not need?

If we become aware of information received by us that we did not request and do not require, we destroy this securely on receipt or discovery.



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

The information we hold about you may include the following:

- your personal details (such as your name, contact details, date of birth, marital status, NI number, UTR number, passport / driving licence (to verify your identity) etc.);
- 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 from research, surveys, and marketing activities;
- information we receive from other sources, such as publicly available information, information provided by your employer or our clients.
- details of any goods or services you may provide to us.

#### 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**.

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. This includes processing for marketing, business development, statistical and management purposes.

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.

## 6. SITUATIONS IN WHICH WE WILL USE YOUR PERSONAL DATA

We may use your personal data in order to:

- carry out our obligations arising from any agreements entered into between you, or your employer, or our clients and us (which will most usually be for the provision of our services);
- 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 subcontractor, supplier or customer of our client;
- provide you with information related to our services and our events and activities that you request from us or which we feel may interest you, provided you have consented to be contacted for such purposes or there is a legitimate interest;
- seek your thoughts and opinions on the services we provide; and
- notify you about any changes to our services.

### Monitoring of communications

Subject to applicable laws, the Company may monitor and record calls, emails, text messages, social media messages and other communications in relation to your dealings with us. We will do this for regulatory compliance, self-regulatory practices, for quality control and staff training, and when we need a record of what has been communicated and/or agreed.

### Anonymised / pseudonymised data

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

### Refusal to provide data

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. Alternatively, we may be unable to comply with our legal or regulatory obligations. Where you have withdrawn consent related to marketing you may not receive useful information about our services.

### Other circumstances

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.

## 7. DATA RETENTION

We will only retain your 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.

We are required by legislation, other regulatory requirements and our insurers to retain certain data even 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 relevant data for a period of seven years from the end of the period concerned.

## 8. 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.

## 9. DATA SHARING

### Why might you share my personal data with third parties?

We will 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.

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

“Third parties” include third-party service providers. The following activities are carried out by third-party service providers: IT including cloud services, work place pensions, occasional professional advisory services and ad hoc work in our standard service lines.

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

## **10. TRANSFERRING PERSONAL DATA OUTSIDE THE EUROPEAN ECONOMIC (EEA)**

In order to perform our contract with you, we may transfer the personal data we collect about you to the USA which is outside of the EEA. This may happen if you use Cloud software, or we choose to do so in performing our contract with you. This is due to some Cloud software providers holding their servers in the USA. We may also engage in other IT services for efficiency purposes, the providers of which may also hold their servers outside of the EEA.

There is an adequacy decision, made by the European Commission, in relation to the USA which entities can adopt in order that they are deemed to provide an adequate level of protection for your personal information for the purpose of the Data Protection Legislation.

Where relevant, we have obtained written confirmation from the software providers, that they have in place equivalent security measures to those applicable in the EU and have ensured that our contract with the software providers contain EU model data protection clauses.

### **In relation to our website only:**

Our website provider is based in the UK, however it is possible that your data may be accessed outside of the EU by a team of theirs based in India. We have obtained written confirmation from the UK software provider, that they have in place equivalent security measures to those applicable in the EU and have ensured that our contract with the software providers contain EU model data protection clauses.

Should you require further information about these protective measures, please contact us using the contact details outlined below.

## 11. DATA SECURITY

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.

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.

## 12. 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 your usual Freeman Baker Limited contact or by email to: [privacy@freemanbaker.net](mailto:privacy@freemanbaker.net)

### 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.

- Request the transfer of your personal data to you or another data controller if the processing is based on contract or 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: [privacy@freemanbaker.net](mailto:privacy@freemanbaker.net)

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.

### **13. RIGHT TO WITHDRAW CONSENT**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please email [privacy@freemanbaker.net](mailto:privacy@freemanbaker.net)

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.

### **14. CHANGES TO THIS NOTICE**

Any changes we may make to our privacy notice in the future will be updated on our website [www.freemanbaker.net](http://www.freemanbaker.net)

This privacy notice was last updated in May 2018.

### **15. 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 at [privacy@freemanbaker.net](mailto:privacy@freemanbaker.net) or write to.

Head of Privacy  
 Freeman Baker Limited  
 Verulam House  
 1 Cropmead  
 Crewkerne  
 Somerset  
 TA18 7HQ



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>