

# FINN ASSOCIATES

## GDPR/Privacy Policy from May 2018

We take your privacy very seriously and ask that you read this privacy policy carefully as it contains important information detailing who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and how to contact us and supervisory authorities in the event you have a complaint.

When we use your personal data we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including the United Kingdom) and we are responsible as 'controller' of that personal data for the purposes of the GDPR. Our use of your personal data is subject to your instructions, the GDPR, other relevant UK and EU legislation and our professional duty of confidentiality.

### WHO WE ARE

We are Finn Associates (Businesscare) Limited (hereinafter 'Finn Associates'), a long established company specialising in insolvency related issues, registered with and regulated by The Institute of Chartered Accountants in England and Wales ("ICAEW").

We collect, use and are responsible for certain information we hold about you.

We process personal information to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are Data Controllers of personal data in so far as defined by data protection legislation. Finn Associates will act as Data Processor on their instructions about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data will be kept secure and processed only for matters relating to the insolvency procedure being dealt with. The person responsible for how we handle personal information is our Data Compliance Manager (see **How to contact us**, below).

## **THE PERSONAL INFORMATION WE COLLECT AND USE**

### **Personal information provided by you**

We collect personal information when you provide it to us, such as your name, postal address, email address, phone numbers, date of birth, payment/financial details and information to enable us to check your identity. If you become a client, we will collect additional information from you in relation to the service(s) you instruct us to provide and we will provide further details of this at the time when we enter into an agreement with you to provide specific service(s).

We also collect personal information from you if you apply for a job with us or work for us for any period of time. In this context, personal information we gather may include: contact details, financial and payment details, details of education, qualifications and skills, marital status, nationality, NI number, job title and C.V.

### **Personal information provided by third parties**

We may receive information about you from other sources (such as credit reference agencies, HM Revenue & Customs, Companies House, Government departments and regulatory bodies, other professional advisers or consultants engaged by you or us in relation to the services we provide). We will add this to the information we already hold about you in order to help us provide and improve services rendered. If you apply for a job with us, we may receive information from the people who provide references.

### **Personal information about other individuals**

If you give us information on behalf of someone else as an alternate contact or agent, referee or next of kin, you confirm that the other person has agreed that you can:

- give consent on his/her behalf to the processing of his/her personal data;
- receive on his/her behalf any data protection notices; and
- if relevant, give consent to the transfer of his/her personal data abroad

### **Sensitive personal information**

We will not usually ask you to provide sensitive personal information. We will only ask you to provide sensitive personal information if we need this for a specific reason, for example, if it is necessary in connection with a matter we are handling for you or as part of our recruitment or staff administration process. If we request such information, we will explain why we are requesting it and how we intend to use it.

Sensitive personal information includes information relating to your ethnic origin, political opinions, religious beliefs, whether you belong to a trade union, your physical or mental health or condition, sexual life and whether you have committed a criminal offence. We will only collect your sensitive personal information with your explicit consent.

### **Children**

We do not collect personal data relating to children under the age of 16 unless it is relevant to a matter which we are handling for you, in which case we will only collect such information

with the specific consent of the parent or guardian. If you are a parent or guardian of a child under the age of 16 and think that we may have information relating to that child which has not been collected with your consent, please contact us. We will ask you to prove your relationship to the child but if you do so you may (subject to applicable law) request access to and deletion of that child's personal data.

## **HOW AND WHEN DO WE COLLECT INFORMATION FROM YOU?**

We collect information from visitors to our website, people who we do business with, people who register for or enquire about our services, our current employees and job applicants, people who we meet and exchange contact details with to follow up or for mutual referral of business opportunities. We gather information directly from you face to face if we meet you in person and over the telephone if you ring us to make an enquiry. We collect personal information via our website to sign up to, participate in or receive a service from us, such as requesting information online. Our website also uses cookies (see 'Use of cookies' section below) and collect IP addresses (which means a number that can uniquely identify a specific computer or other device on the internet).

We may monitor and record communications with you (such as telephone conversations and emails). We may do this for a number of reasons, such as to check the quality of our customer service, for training purposes, to prevent fraud or to make sure we are complying with legal requirements.

### **Use of cookies**

A cookie is a small text file which is placed onto your computer (or other electronic device such as a mobile telephone or tablet) when you use our website. We use cookies on our website. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify you individually. We use analysis software to look at IP addresses and cookies to improve your experience as a user of our website. We do not use this information to develop a personal profile of you. If we do collect personal information, we will be upfront about this. We will make it clear when we collect personal information and will explain what we intend to do with it.

You can set your browser to not to accept cookies; for further information on cookies generally visit [www.aboutcookies.org](http://www.aboutcookies.org) or [www.allaboutcookies.org](http://www.allaboutcookies.org).

## **REASONS WE CAN COLLECT AND USE YOUR PERSONAL DATA**

### **Legal Obligations**

We collect and use personal information to comply with our legal obligations. For example, we will take copies of documents that identify you so we can comply with anti-money laundering and counter terrorism financing requirements.

## **Legitimate Business Interests**

Our priority is to ensure a high quality and secure service and to follow up effectively in enquiries even though we accept that not all enquiries will lead to a business relationship or contract. We collect personal information to:

- improve our services and
- detect and prevent fraud
- prevent offensive, inappropriate or objectionable content being sent on our website or stop any other form of disruptive behaviour

## **The Data We May Process**

The personal data insolvency practitioners may process in most cases will be basic details that may identify an individual and will typically be sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive, for example health records and this sensitive data will usually have been created before our appointment. Although we will take appropriate steps to safeguard sensitive data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we will not be processing sensitive data.

## **When will we contact any other person about you?**

If you provide us with details of any other person we can contact to discuss any service we are handling for you, we may contact that person and discuss and share the details of your matter with that person. If you change your mind, you can email or write to us and tell us to stop at any time (see *'How can you contact us?'* below).

If you provide us with the details of a person who we can contact for a a job reference, we may contact that person in connection with your job application.

## **Who your information might be shared with**

We may disclose your personal data to:

- any professional adviser or expert who we instruct on your behalf or refer you to in connection with your matters where you have given your consent or where you have requested us to do so e.g. barristers, solicitors, other tax advisers, mortgage providers;
- other accountants and business advisers and their clients and professional advisers in the course of acting for you on a service we provide;
- service providers under contract with us to support our business operations, such as fraud prevention, debt collection, payroll, technology services and accounting/audit;
- credit reference agents – see 'Credit checking' above;
- our insurers and insurance brokers;
- regulatory bodies to comply with our legal and regulatory obligations;

- any person or law enforcement agency if we need to share that information to comply with the law or to enforce any agreement we may have with you or to protect the health and safety of any person;
- any person who is your agent or representative, such as the holder of a power of attorney, a legal guardian or person administering a will;
- any person who we are negotiating with as a potential buyer of our business or property or if we are proposing to merge our business with another business;
- credit card associations if specifically required.

We only allow our service providers to handle your personal data if we are satisfied that they take appropriate measures to protect your personal data. We also require them to comply with our instructions in connection with the services they provide for us and not for their own business purposes.

## **KEEPING YOUR PERSONAL INFORMATION SECURE**

The information you provide to us will be transferred to and stored on secure servers in the European Economic Area [EEA]. We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those people processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

While we will use all reasonable efforts to keep your personal data safe, you acknowledge that the use of the internet is not entirely secure and, for this reason, we cannot guarantee the security or integrity of any personal data that is transferred from you or to you via the internet. If you have any particular concerns about your information, please contact us (see **'How to contact us'** below).

Our website may contain links to websites and applications owned and operated by other people and businesses. These third party sites have their own privacy policies and use their own cookies and we recommend that you review them before you provide them with personal information. They will tell you how your personal information is collected and used whilst you are visiting these other websites. We do not accept any responsibility or liability for the content of these sites or the use of your information collected by any of these other sites and you use these other sites at your own risk.

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit [www.getsafeonline.org](http://www.getsafeonline.org). Get Safe Online is supported by HM Government and leading businesses.

## HOW LONG DO WE KEEP YOUR PERSONAL INFORMATION?

Personal data will be held for as long as any legislative or regulatory requirement requires us to hold it. Typically, this may be up to 6 years after which, it will be destroyed.

## WHAT RIGHTS DO YOU HAVE?

Under the General Data Protection Regulation you have a number of important rights to be informed. These include the following:

- request a copy of your information which we hold (subject access request);
- require us to correct any mistakes in your information which we hold;
- require the erasure of personal information concerning you in certain situations
- require us to stop contacting you for direct marketing purposes;
- object in certain other situations to our continued processing of your personal information;
- restrict our processing of your personal information in certain circumstances;
- object to decisions being taken by automated means which produce effects concerning you or which effect you significantly; and
- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations.

Further information on each of these rights is available from the Information Commissioner's Office.

If you would like to exercise any of these rights, please:

- email, call or write to us (see '**How to contact us**' below)
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates, including any matter of reference numbers, if you have them.

We will not charge any fee for any of these services in most cases.

## HOW TO CONTACT US

We hope that we can resolve any query or concern you raise about the way we use your personal information. Please contact us if you have any questions about this privacy policy or the information we hold about you.

If you wish to contact us, please do so:

By email: [solutions@finnassociates.com](mailto:solutions@finnassociates.com) (subject Data Protection)  
By telephone: 0113 2879097 (please ask for the Data Compliance Manager)  
By post: To the Data Compliance Manager, Finn Associates, Tong Hall, Tong Lane, Bradford, BD4 0RR

The General Data Protection Regulation also gives you the right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone 0303 123 1113.

#### **CHANGES TO THE PRIVACY NOTICE**

This Privacy Notice was published on 23 May 2018. We may change this Privacy Policy from time to time. You should check this Privacy Policy occasionally to ensure you are aware of the most recent version.

#### **DO YOU NEED EXTRA HELP?**

If you would like this policy in another format, please contact us (see '***How can you contact us?***' above).