

## Introduction

Shorthouse & Martin Ltd respects your privacy and is committed to protecting your personal data and ensuring compliance with the UK General Data Protections Regulations and all relevant data protection legislation. This privacy notice will inform you how we look after your personal data when you enter into a contract with us. This Data Protection Privacy Notice is supplemental to, and should be read with our Terms of Engagement.

## 1. Important information and who we are

### Purpose of this privacy notice

This privacy notice aims to give you information on how we collect and process your personal data. 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.

### Controller

Shorthouse & Martin Ltd is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our") in this privacy notice. We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice please contact the data privacy manager using the details set out below.

### Contact details

Shorthouse & Martin Ltd:  
Les Shorthouse, Data Privacy Manager  
Worthy House  
14 Winchester Road  
Basingstoke  
Hampshire RG21 8UQ

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## 2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). We may collect, use, store and transfer different kinds of personal data about you. Personal data must be processed in accordance with six data protection principles and we will comply with these. It must be processed fairly, lawfully and transparently; be collected and processed only for specified, explicit and legitimate purposes; be adequate, relevant and limited to what is necessary for the purposes for which it is processed; be accurate and kept up to date. Any inaccurate data must be deleted or rectified without delay; not be kept for longer than is necessary for the purposes for which it is processed; and be processed securely. We are accountable for these principles and must be able to show that we are compliant.

## Your duty to inform us of changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## Special Categories of Personal Data about you

This includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data. We do not collect this type of personal data, nor do we collect any information about criminal convictions and offences except in exceptional circumstances or to comply with any legal obligations placed upon us.

## If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have, or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

## 3. How is your personal data collected?

We use different methods to collect data from and about you, including through direct interaction with you, via technical data collected through our website by using cookies or similar technology or from third parties or public sources. This includes:

- Financial and transaction data from you or from providers of technical, payment and delivery services within the United Kingdom.
- Identity and contact data from you or from publicly available sources, such as Companies House and the Electoral Register based inside the United Kingdom.
- Service providers acting as processors who provide consultancy services, outsourcing services, IT and system administration services in the United Kingdom.
- Professional advisers acting as processors including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services within the United Kingdom.
- HM Revenue & Customs, regulators and other authorities such as the Institute of Certified Practising Accountants (ICPA) acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.

## 4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending out documentation on your behalf to a third party such as filing company accounts or submitting tax returns

or in respect of direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting the data privacy manager.

## Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact the data privacy manager if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

## The lawful basis for using your personal data

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract with us.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new client	a) Identity b) Contact	Performance of a contract with you
To process and deliver our services including: a) Manage payments, fees and charges b) Collect and recover money owed to us	a) Identity b) Contact c) Financial d) Transaction e) Communications	a) Performance of a contract with you b) Necessary for our legitimate interests (to recover debts due to us)
To comply with legal obligations and checks (for example anti-money laundering); to comply with the requirements of regulatory authorities	a) Identity b) Contact c) Financial d) Transaction e) Communications	a) Performance of contract with you b) Necessary for our legitimate interests c) Comply with legal or regulatory obligation
To manage our relationship with you which will include:	a) Identity b) Contact	a) Performance of a contract with you b) Necessary to comply with a legal obligation

# Data Protection Privacy Notice

<p>a) Notifying you about changes to our terms or privacy policy</p> <p>b) Asking you to leave a review or take a survey</p>	<p>c) Profile</p> <p>d) Marketing and Communications</p>	<p>c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)</p>
<p>To administer and protect our business and website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>a) Identity</p> <p>b) Contact</p> <p>c) Technical</p>	<p>a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>b) Necessary to comply with a legal obligation</p>
<p>To use data analytics to improve our website, products/services, marketing, customer relationships and experiences</p>	<p>a) Technical</p> <p>b) Usage</p>	<p>Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)</p>
<p>To make suggestions and recommendations to you about goods or services that may be of interest to you</p>	<p>a) Identity</p> <p>b) Contact</p> <p>c) Technical</p> <p>d) Usage</p> <p>e) Profile</p>	<p>Necessary for our legitimate interests (to develop our products/services and grow our business)</p>

## Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

### Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and, in each case, you have not opted out of receiving that marketing.

### Third-party marketing

We will not share your personal data with any third party company without your express consent.

## Disclosures of your personal data

We may have to share your personal data with your employer or group companies, regulatory authorities, HM Revenue and Customs, consultants, insurers, accountants, external bookkeepers, lawyers and other service providers.

We may outsource all or part of the work to a reputable third party.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 5. International transfers

We do not transfer your personal data outside the European Economic Area (EEA) unless you are residing overseas and we have your permission to do so. Otherwise this might occur in very limited circumstances where an IT platform may be located outside of the EEA in which case we will ensure that an appropriate level of security is maintained.

## 6. Data Security

We have put in place 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 personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

We are investing in an email system which encrypts attachments, though our network service provider.

## 7. Data retention

### How long will you use my personal data for?

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.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

By law we have to keep basic information about our customers (including contact details, identity details, financial and transaction data) for at least seven years after they cease being customers for tax purposes and also to comply with our obligations in respect of anti-money laundering. If you wish us to retain any of your personal data for more than seven years from the completion of a matter you will need to notify us in writing. All personal data which is destroyed is done so securely.

In some circumstances you can ask us to delete your data (see below). In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 8. Your legal rights

Under certain circumstances, you have rights under data protection laws. These are as follows:

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**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 successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**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 ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it. If you make data subject access request it should be made to the Data Privacy Manager.

### Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights).

## Data Protection Privacy Notice

However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Updated: March 2022