

**DOCUMENT:** Napier Accountancy's Privacy Policy

**PREPARED FOR:** Derek Napier, Napier Accountancy ("YOU")

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**VERSION:** Draft for your customisation

*The following privacy policy has been drafted based on Napier's discovery work and based on the operations, personal data and informational flows Napier advised Sympatico. This privacy policy should be kept up to date to reflect any data handling at Napier.*

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## Privacy policy

### **Who we are**

"We" are Napier Accountancy or "Napier", our registered business address is: 40/14 Hardengreen Business Park, Dalhousie Road, Eskbank, Midlothian EH22 3NU. Our company number is: (ADD NAPIER'S COMPANY NUMBER) and our Information Commissioner's Office (ICO) registration number is (ADD NUMBER).

### **Our Privacy Commitment**

At Napier, we will always protect and respect your privacy, and we are committed to security when it comes to your information. We promise that if we ever collect, process, store and share your data we will do so safely and securely. This privacy notice ("Privacy Notice") is intended to inform you how we gather, define, and utilise your personal information such as name, address, email address and mobile phone number ("Information"). It is also intended to assist you in making informed decisions when contacting us or using our services.

### **What Personal Data we collect, why and how we use it**

We will only collect or use your personal information (such as your name, address, marital status, identification documentation) that we consider to be necessary in the context and purpose in which it's given, and only store it for as long as it's needed in line with its lawful basis. Typically, we will use your data in the following circumstances:

- Where we need to perform the contract for our accountancy related services we are about to enter into or have entered into with you
- Where we need to comply with a legal or regulatory obligation

- Where it is necessary for our legitimate business interests (or those of a third party) and your interests and fundamental rights do not override those interests
- Where it is necessary to ensure we comply with the relevant regulation (such as anti money laundering), which includes the need for us to verify your identity if you use our services
- To enable us to legitimately respond to your enquiry via our website or other channels, or to provide a quotation for our services.

### ***When we may share or disclose your data***

We will never sell our data and we only share or disclose your data as authorised in this Policy. We may share or disclose information with the following types of third parties:

- Suppliers and vendors: We work with a variety of third party suppliers to perform contracted accountancy services, such as Xero, FreeAgent, Taxcalc and Brightpay. We share your personal data only as necessary to complete any transaction or provide a product or service you have requested for the purposes described in this Policy. We undertake due diligence to ensure our vendors and suppliers treat data securely and in accordance with this Policy, and we will take all steps reasonably necessary to maintain compliance with these obligations.
- Legal/Regulatory Bodies: To the extent that we are duty bound by any applicable legal or regulatory requirement to cooperate with any competent legal or governmental authority or agency, we shall do so in accordance with applicable law. This may involve disclosure of your personal data and we will have no legal liability for such disclosures. Please note that, depending on circumstances, we may be forbidden from advising you of the fact that your personal data has been disclosed to or requested by such third parties
- Under Section 330 of the Proceeds of Crime Act 2002 we have a duty to report to the Serious Organised Crime Agency (SOCA) if we know, or have reasonable cause to suspect, that you or anyone connected with your business are or have been involved in money laundering. Failure on our part to make a report where we have knowledge, or reasonable grounds for suspicion, would constitute a criminal offence. We are obliged by law to undertake this reporting to SOCA, but are under no obligation to make you aware of this reporting. In fact, we may commit the criminal offence of "tipping off" under Section 333 of the Proceeds of Crime Act 2002 if we were to inform you that a report had been made.

### ***Transfers outside of the European Economic Area (EEA)***

If we ever transfer information outside of the EEA, we will make sure that it is protected in the same way as if it was being used in the EEA. To do this, we will ensure certain safeguards are in place, for example:

- Only transfer it to a non-EEA country with privacy laws that give the same protection as the EEA, as deemed by the European Commission
- Transfer it to organisations that are part of Privacy Shield. This is a framework that sets privacy standards for data sent between the US and EU countries.

### ***How to access and control your Personal Data***

You have certain rights in relation to personal information we hold about you; details of these rights and how to exercise them are set out below. We will require evidence of your identity before we are able to act on your request.

- Right of Access: You have the right at any time to ask us for a copy of the Information about you that we hold, and to confirm the nature of the Information and how it is used
- Right of Correction or Completion: If Information we hold about you is not accurate, or is out of date or incomplete, and requires amendment or correction you have a right to have the data rectified, updated or completed
- Right of Erasure: In certain circumstances, you have the right to request that Information we hold about you is erased e.g. if the Information is no longer necessary for the purposes for which it was collected or processed or our processing of the Information is based on your consent and there are no other legal grounds on which we may process the Information
- Right to Object to or Restrict Processing: In certain circumstances, you have the right to object to our processing of your Information by contacting us at the address or email address set out below. For example, if we are processing your Information on the basis of our legitimate interests and there are no compelling legitimate grounds for our processing which override your rights and interests. You also have the right to object to use of your Information for direct marketing purposes
- Right of Data Portability: In certain instances, you have a right to receive any Information that we hold about you in a structured, commonly used and machine-readable format.

We are also unable to comply with requests that relate to Information of others without their consent. You can exercise any of the above rights by contacting us at the address or email address set out below. Most of the above rights are subject to limitations and exceptions; we will provide reasons if we are unable to comply with any request for the exercise of your rights.

All your personal Information shall be held and used in accordance with the EU General Data Protection Regulation 2016/679 ("GDPR") and national laws implementing GDPR such as the Data Protection Act 2018 and any legislation that replaces it in whole or in part and any other legislation relating to the protection of personal data.

### ***How to get in touch***

If you want to know what information we collect and hold about you, or to exercise any of your rights as set out in section, please write to us at our company address or via email at [derek@napieraccountancy.com](mailto:derek@napieraccountancy.com).