

## 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 [1998 or 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').

Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

### 2. ABOUT US

Baginsky Cohen and B & C Company Secretarial Services Limited are accountancy, tax advisory and secretarial firms.

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 Data Protection Officer who has overall responsibility for Data Protection and for assisting with enquiries in relation to this privacy notice or our treatment of your personal data.

Our data protection officer is Neil Cohen, Partner who can be contacted at the address shown on the website or on [neil@baginskycohen.com](mailto:neil@baginskycohen.com) or by calling 020 8343 8080.

### 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;
- you, or your employer, or our clients engage us to provide our services (as defined in our Letter of Engagement and supporting Schedules) and also during the provision of those services;
- you contact us by email, telephone, post or social media (for example when you have a query about our services); or
- made available from third parties and/or public resources (for example, from your employer or from Companies House).

### 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 and/or address);
- 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.

## 5. HOW WE USE PERSONAL DATA WE HOLD ABOUT YOU

At Baginsky Cohen we take your privacy seriously and will only use your personal information to provide the Services you have requested from us, detailed in your Letter of Engagement and supporting Schedules and as we have identified above. We will only use this information subject to your instructions, data protection law and our duty of confidentiality.

For Business to Business Clients and Contacts our lawful reason for processing your personal information will be “legitimate interests”. Under “legitimate interests” we can process your personal information if: we have a genuine and legitimate reason and we are not harming any of your rights and interests.

For Business to Consumer Clients and Contacts our lawful reason for processing your personal information will be “A contract with the individual” e.g. to supply goods and services you have requested, or to fulfil obligations under an employment contract. This also includes steps taken at your request before entering into a contract.

We may receive personal data from you for the purposes of our money laundering checks, such as a copy of your passport. This data will only be processed for the purposes of preventing money laundering and terrorist financing, or as otherwise permitted by law or with your express consent.

Our work for you may require us to pass your information to our third-party service providers, agents, subcontractors and other associated organisations for the purposes of completing tasks and providing the Services to you on our behalf. However, when we use third party service providers, we disclose only the personal information that is necessary to deliver the Services and we have contracts in place that requires them to keep your information secure and not to use it for their own direct marketing purposes.

We will not share your information for marketing purposes with companies so that they may offer you their products and services.

## 6. 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.

## 7. 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.

## 8. 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” includes third-party service providers and other entities within our group. The following activities are carried out by third-party service providers: IT (and cloud) services, 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.**

## 9. TRANSFERRING PERSONAL DATA OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)

We may transfer the personal data we collect about you to the USA which is outside of the EEA in order to perform our contract with you. 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 EU.

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 E.U. model data protection clauses.

Should you require further information about this please contact us using the contact details outlined below.

## 10. 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.

## 11. 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 Baginsky Cohen contact.

### 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 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 [neil@baginskycohen.com](mailto:neil@baginskycohen.com).



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.

## **12. CHANGES TO THIS NOTICE**

If we make any changes to our privacy notice in the future, the most up to date version will be accessible on our website.

This privacy notice was last updated on 21 June 2018.