



PRIVACY NOTICE

1. Introduction

The Data Protection Act 2018 (“DPA 2018”) and the General Data Protection Regulation (“GDPR”) impose certain legal obligations in connection with the processing of personal data.

Different Straights Finance Limited is a data controller within the meaning of the GDPR and we process personal data. The firm’s contact details are as follows:

Registered Address : 5th Floor, 167-169 Great Portland Street, London, W1W 5PF, United Kingdom
Trading Address : Units A-J, Austen House, Station View, Guildford, Surrey, GU1 4AR, United Kingdom
Telephone : 0800 320 2220 (UK Freephone) / +44 (0)203 5199 660 / +44 (0)1483 377 177
Email : mydata@differentstraights.com
Data Protection Officer : Mr Luke Rawsthorn – Director
Firm’s Representative : Mr Luke Rawsthorn – Director

We may amend the privacy notice from time to time. If we do so, we will supply you with, and / or otherwise make available to you, a copy of the amended privacy notice.

Where we act as a data processor on behalf of a data controller (for example, when processing payroll), we provide an additional schedule setting out required information as part of that agreement. That additional schedule should be read in conjunction with this privacy notice.

2. The purposes for which we intend to process personal data

We intend to process personal data for the following purposes:

- to enable us to supply professional services to you as our client
- to fulfil our obligations under relevant laws in force from time to time (eg. the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 as amended (“MLR 2017”))
- to comply with professional obligations to which we are subject as a member of the Association of Accounting Technicians (“AAT”)
- to use in the investigation and / or defence of potential complaints, disciplinary proceedings and legal proceedings
- to enable us to invoice you for our services and investigate / address any attendant fee disputes that may have arisen

3. The legal basis for our intended processing of personal data

Our intended processing of personal data has the following legal bases:

- at the time you instructed us to act, you gave consent to our processing your personal data for the purposes listed above
- the processing is necessary for the performance of our contract with you
- the processing is necessary for compliance with legal obligations to which we are subject (eg. MLR 2017)
- the processing is necessary for the purposes of legitimate interests which we pursue: investigating / defending legal claims

It is a requirement of our contract with you that you provide us with the personal data that we request. If you do not provide us with the information that we request, we may not be able to provide professional services to you. If this is the case, we will not be able to commence acting or will need to cease to act.

4. Persons and organisations to whom we may give personal data

We may share your personal data with:

- HMRC
- any third parties with whom you require or permit us to correspond
- subcontractors
- tax insurance providers
- professional indemnity insurers
- our professional body, AAT, and / or the Office of Professional Body Anti-Money Laundering Supervisors (OPBAS) in relation to practice assurance and / or the requirements of MLR 2017 (or any similar legislation)
- XERO, the accountancy software provider
- Amazon Webservices ("AWS"), used for cloud storage of XERO
- Money Penny, used for receptionist services
- BrightPay, the payroll software, if applicable
- Microsoft Azure, used for cloud storage of Salesforce and BrightPay, if applicable
- Microsoft, used for OneDrive and Sharepoint cloud storage ability
- Stripe, used for payment collection services such as direct debit collection

If the law allows or requests us to do so, we may share your personal data with:

- the police and law enforcement agencies
- courts and tribunals
- the Information Commissioner's Office (ICO)

We may need to share your personal data with the third parties identified above in order to comply with our legal obligations, including our legal obligations to you. If you ask us not to share your personal data with such third parties, we may need to cease to act.

5. Transfers of personal data outside the EEA

GDPR requires companies to implement appropriate safeguards when they export personal data out of the UK and EU. All our third-party providers comply fully with GDPR regulations.

With this in mind, your personal data may be processed in multiple locations worldwide in-line with the GDPR processing regulations. Similar to many SaaS providers, some of our application providers use top-tier, third-party data hosting providers with servers in the United States of America to host online and mobile services.

6. Retention of personal data

When acting as a data controller, and in accordance with recognised good practice within the tax and accountancy sector, we will retain all of our records relating to you as follows:

- where tax returns have been prepared, it is our policy to retain information for seven (7) years from end of the tax year to which the information relates
- where adhoc advisory work has been undertaken, it is our policy to retain information for seven (7) years from the date the business relationship ceased
- where we have an ongoing client relationship, data which is needed for more than one (1) year's tax compliance is retained throughout the period of the relationship but will be deleted seven (7) years after the end of the business relationship unless you, as our client, ask us to retain it for a longer period

(section continued on page 4 of 6)

6. Retention of personal data (continued)

Our contractual terms provide for the destruction of documents after seven (7) years and, therefore, agreement to the contractual terms is taken as agreement to the retention of records for this period, and to their destruction thereafter.

You are responsible for retaining information that we send to you and this will be supplied in the form agreed between us. Documents and records relevant to your tax affairs are required by law to be retained by you as follows:

- Individuals, Trustees and partnerships
 - ✓ with trading or rental income : five (5) years and ten (10) months after the end of the tax year
 - ✓ otherwise : twenty-two (22) months after the end of the tax year
- Companies , LLPs and other corporate entities
 - ✓ six (6) years from the end of the accounting period

Where we act as a data processor, as defined in DPA 2018, we will delete or return all personal data to the data controller as agreed with the controller at the termination of the contract.

7. Requesting personal data we hold about you (subject to access requests)

You have the right to request access to your personal data that we hold. Such requests are known as 'subject access requests' ("SARs").

Please provide all SARs in writing marked for the attention of Mr Luke Rawsthorn.

To help us provide the information you want and to deal with your request more quickly, you should include enough details to enable us to verify your identity and locate the relevant information. For example, you should tell us:

1. your date of birth
2. previous or other name(s) you have used
3. your previous addresses in the past five (5) years
4. personal reference number(s) that we may have given you (eg. NI number, UTR, VAT registration number)
5. the type of information you would like to know

If you do not have a national insurance (NI) number, you must send a copy of:

- the back page of your passport or a copy of your driving license; and
- a recent utility bill

DPA 2018 requires that we comply with a SAR promptly and in any event within one (1) month of receipt. There are, however, some circumstances in which the law allow us to refuse to provide access to personal data in response to a SAR (eg. if you have previously made a similar request and there has been little or no change to the data since we complied with the original request).

We will not charge you for dealing with a SAR.

(section continued on page 5 of 6)

7. Requesting personal data we hold about you (subject to access requests) (continued)

You can ask someone else to request information on your behalf – for example a friend, relative or solicitor. We must have your authority to respond to a SAR made on your behalf. You can provide such authority by signing a letter which states that you authorise the person concerned to write to us for authorisation about you, and / or receive our reply.

Where you are a data controller and we act for you as a data processor (eg. by processing payroll), we will assist you with the SARs on the same basis as is set out above.

8. Putting things right (the right to rectification)

You have a right to obtain rectification of any inaccurate personal data concerning you that we hold. You also have a right to have any incomplete personal data that we hold about you completed. Should you become aware that any personal data that we hold about you is inaccurate and / or incomplete, please inform us immediately so that we can correct and / or complete it.

9. Deleting your records (the right to erasure)

In certain circumstances, you have a right to have the personal data that we hold about you erased. Further information is available on the ICO website (www.ico.org.uk). If you would like your personal data about you erased, please inform us immediately and we will consider your request. In certain circumstances, we have the right to refuse to comply with a request for erasure. If applicable, we will supply you with the reasons for refusing your request.

10. The right to suppress processing and the right to object

In certain circumstances, you have the right to 'block' or suppress the processing of personal data or to object to the processing of that information. Further information is available on the ICO website (www.ico.org.uk). Please inform us immediately if you want us to cease to process your information or you object to processing so that we can consider what action, if any, is appropriate.

11. Obtaining and re-using personal data (the right to data portability)

In certain circumstances, you have the right to be provided with the personal data that we hold about you in a machine-readable format (eg. so that the data can be provided to a new professional adviser). Further information is available on the ICO website (www.ico.org.uk).

The right to data portability only applies :

- to personal data an individual has provided to a controller
- where the processing is based on the individual's consent or for the performance of a contract; and
- when processing is carried out by automated means

We will respond to any data portability requests made to us without undue delay and within one (1) month. We may extend the period by a further two (2) months where the request is complex or a number of requests are received but we will inform you within one (1) month of the receipt of request and explain why the extension is necessary.

12. Withdrawal of consent

Where you have consented to our processing of your personal data, you have the right to withdraw that consent at any time. Please inform us immediately if you wish to withdraw your consent.

Please note :

- the withdrawal of consent does not affect the lawfulness of earlier processing
- if you withdraw your consent, we may not be able to continue to provide services to you
- even if you withdraw your consent, it may be lawful for us to process your data on another legal basis (eg. because we have a legal obligation to continue to process your data)

Automated decision-making

We do not intend to use automated decision-making in relation to your personal data.

Complaints

If you have requested details of the information we hold about you and you are not happy with our response, or you think we have not complied with the GDPR or DPA 2018 in some other way, you can complain to us.

Please send any complaints to :

- **postal** : 5th Floor, 167-169 Great Portland Street, London, W1W 5PF, United Kingdom
- **email** : mydata@differentstraights.com

If you are not happy with our response, you have a right to lodge a complaint with the ICO (www.ico.org.uk). Our registration reference with the ICO is **ZA784147**.

Should you have any questions relating to this document, please ask one of the team via the contact details in section 1 : Introduction, who will be pleased to discuss further.