

## **Holbrook Curtis Privacy Policy (GDPR)**

How we use your personal information

Updated November 2019

Your information will be held by Holbrook Curtis Limited/TLC Payroll Services Ltd.

### **How we use your personal information**

This privacy notice is to advise you of how Holbrook Curtis Limited/TLC Payroll Services Ltd promise to look after your personal information. This includes what you tell us about yourself, what we learn by having you as a customer and the choices you give us about what marketing you want us to send you. This notice explains how we do this and tells you about your privacy rights and how the law protects you.

By agreeing to this policy you are also agreeing that it applies to all businesses of which you are either a director or shareholder and which are also clients of Holbrook Curtis Limited/TLC Payroll Services Ltd and to all employees of those businesses.

### **Our Privacy Promise**

We promise:

- To keep your data safe and private.
- Not to sell your data.
- To give you ways to manage and review your marketing choices at any time.

### **The Data Protection law changed on 25 May 2018**

This notice sets out your rights under the new laws but may be updated in future if further changes come into effect.

### **Who we are**

Holbrook Curtis Limited (registered number: 03898859)  
3 Bath Mews, Bath Parade, Cheltenham, Gloucestershire, GL53 7HL  
Tel: 01242 571727

TLC Payroll Services Ltd (registered number: 07253983)  
3 Bath Mews, Bath Parade, Cheltenham, Gloucestershire, GL53 7HL  
Tel: 01242 571755

### **How the law protects you.**

As well as our Privacy Promise, your privacy is protected by law. This will explain how that works. The Data Protection law says that we may use your personal information only if we have a proper reason to do so. This includes the sharing of that information outside of Holbrook Curtis Limited/TLC Payroll Services Ltd. The law says we must have one or more of these reasons:

- To fulfil a contract that we have with you, or
- When it is our legal duty, or

- When it is in our legitimate interest, or
- When you consent to it.

A legitimate interest is when we have a business or commercial reason to use your information. But even then, it must not unfairly go against what is right and best for you. If we rely on our legitimate interests, we will tell you what that is.

Below is a list of ways that we may use your personal information, and which reasons we rely on to do so. This is also where we tell you what our legitimate interests are.

What we use your personal information for	Our reasons	Our legitimate interests
<ul style="list-style-type: none"> <li>• To manage our relationship with you or your business.</li> <li>• To develop and carry out marketing activities, only insofar as it enables us to comply with your instructions e.g. fee protection insurance.</li> <li>• To provide advice or guidance.</li> </ul>	<ul style="list-style-type: none"> <li>• Your consent.</li> <li>• Fulfilling contracts.</li> <li>• Our legitimate interests.</li> <li>• Our legal duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Keeping our records up to date, working out which of our products and services may interest you and telling you about them.</li> <li>• Seeking your consent when we need it to contact you.</li> <li>• Being efficient about how we fulfil our legal duties.</li> </ul>
<ul style="list-style-type: none"> <li>• To manage how we work with other companies that provide services to us and our customers.</li> </ul>	<ul style="list-style-type: none"> <li>• Fulfilling contracts.</li> <li>• Our legitimate interests.</li> <li>• Our legal duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Being efficient about how we fulfil our legal and contractual duties.</li> </ul>
<ul style="list-style-type: none"> <li>• To deliver of our products and services.</li> <li>• To manage fees and charges on client accounts.</li> <li>• To collect and recover money that is owed to us.</li> </ul>	<ul style="list-style-type: none"> <li>• Fulfilling contracts.</li> <li>• Our legitimate interests.</li> <li>• Our legal duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Being efficient about how we fulfil our legal and contractual duties.</li> <li>• Complying with regulations that apply to us.</li> </ul>
<ul style="list-style-type: none"> <li>• To report and seek to prevent financial crime.</li> <li>• To manage risk for us and our customers.</li> <li>• To obey laws and regulations that apply to us.</li> <li>• To respond to complaints and seek to resolve them.</li> </ul>	<ul style="list-style-type: none"> <li>• Fulfilling contracts.</li> <li>• Our legitimate interests.</li> <li>• Our legal duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Developing and improving how we deal with financial crime, as well as doing our legal duties in this respect.</li> <li>• Complying with regulations that apply to us.</li> <li>• Being efficient about how we fulfil our legal and contractual duties.</li> </ul>
<ul style="list-style-type: none"> <li>• To run our business in an efficient and proper way. This includes managing communications, corporate governance and audit.</li> </ul>	<ul style="list-style-type: none"> <li>• Our legitimate interests.</li> <li>• Our legal duty.</li> </ul>	<ul style="list-style-type: none"> <li>• Complying with regulations that apply to us.</li> <li>• Being efficient about how we fulfil our legal and contractual duties</li> </ul>

<ul style="list-style-type: none"> <li>• To exercise our rights set out in agreements or contracts.</li> </ul>	<ul style="list-style-type: none"> <li>• Fulfilling contracts.</li> </ul>	
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### Groups of Personal Information

Below is a list of some of the different kinds of personal information that we may use.

Type of personal information	Description
Financial	Your financial position, status and history.
Contact	Where you live and how to contact you.
Socio-Demographic	This includes details about your work or profession and your nationality.
Contractual	Details about the products or services we provide to you.
Communications	What we learn about you from letters, emails and conversations between us.
Open Data and Public Records	Details about you that are in public records, such as the Electoral Register, and information about you that is openly available on the internet.
Usage Data	Other data about how you use our products and services.
Documentary Data	Details about you that are stored in documents in different formats, or copies of them. This could include things like your passport, drivers licence or birth certificate.
Consents	Any permissions, consents or preferences that you give us. This includes things like how you want us to contact you.
National Identifier	A number or code given to you by a government agency to identify who you are, such as a National Insurance number.

Where we collect personal information from -

We may collect personal information about you or your business from the following sources:

Data you provide us with:

- When you apply for our products and service
- When you talk to us in person or on the telephone
- In emails and letters
- In other documents
- In financial reviews and interviews

Data we collect when you use our services. This includes the amount, frequency, type, location, origin and recipients:

- Payment and transaction data.

Data from third parties we work with:

- Financial advisers
- Social networks
- Fraud preventions agencies
- Payroll service providers
- Land agents
- Public information sources such as Companies House
- Agents working on our behalf
- Government and law enforcement agencies.

Who we share your personal information with

We may share your personal information with the following organisations with your consent:

- HM Revenue & Customs, regulators and other authorities
- Fraud prevention agencies
- Any party linked with you or your business's product or service
- Companies we have a joint venture or agreement to co-operate with
- Organisations that introduce you to us
- Companies that we introduce you to
- Independent Financial Advisors
- Companies you ask us to share your data with.

We may need to share your personal information with other organisations to provide you with the product or service you have chosen:

- If you apply for insurance through us, we may pass your personal or business details to the insurer, and onto any reinsurers.
- If you make and insurance claim, information you give to us or the insurer may be put on a register of claims. This will be shared with other insurers.

### **Fraud Prevention Agencies (FPAs)**

We may need to confirm your identity before we provide products or services to you or your business. Once you have become a customer of ours, we will also share your personal information as needed to help detect fraud and money laundering risks. We use Fraud Prevention Agencies to help us with this.

Both we and fraud prevention agencies can only use your personal information if we have a proper reason to do so. It must be needed either for us to obey the law, or for a 'legitimate interest'.

A legitimate interest is when we have a business or commercial reason to use your information. This must not unfairly go against what is right and best for you.

We will use the information to:

- Confirm identities
- Help prevent fraud and money-laundering

- Fulfil any contracts you or your business has with us.

We or an FPA may allow law enforcement agencies to access your personal information. This is to support their duty to detect, investigate, prevent and prosecute crime.

FPA's can keep personal information for different lengths of time. They can keep your data for up to six years if they find a risk of fraud or money laundering.

The information we use

These are some of the kinds of personal information that we use:

- Name
- Date of birth
- Residential address
- History of where you have lived
- Contact details, such as email addresses and phone numbers
- Financial data
- Data relating to you or your business products or services
- Employment details

We may notice that an account is being used in a way that is unusual for you or your business. This could indicate a possible risk of fraud or money-laundering.

How this can affect you

If we or the FPA decide there is risk of fraud, we may keep a record of the risk that you or your business may pose. This may result in other organisations refusing to provide you with products or services, or to employ you.

Data transfers out of the EEA

FPA's may send personal information to countries outside the European Economic Area ('EEA').

When they do, there will be a contract in place to make sure the recipient protects the data to the same standard as the EEA. This may include the following international frameworks for making data sharing secure.

### **Sending data outside of the EEA**

We will only send your data outside of the European Economic Area ('EEA') to:

- Follow your instructions
- Comply with a legal duty

### **If you choose not to give personal information**

We may need to collect personal information by law, or under the terms of a contract we have with you. If you choose not to give us this personal information, it may delay or prevent us from meeting

our obligations. It may also mean that we cannot perform services needed. It could mean that we cancel a product or service you have with us.

Any data collection that is optional would be made clear at the point of collection.

## **Marketing**

We may use your personal information to tell you about relevant products and offers. This is what we mean when we talk about 'marketing' e.g. our fee protection insurance, leasing opportunities etc.

The personal information we have for you is made up of what you tell us, and data we collect when you use our services, or from third parties we work with.

We study this 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 can only use your personal information to send you marketing messages if we either have your consent or a 'legitimate interest'. That is when we have a business or commercial reason to use your information. It must not unfairly go against what is right and best for you.

You can ask us to stop sending you marketing messages by contacting us at any time.

If you change your mind you can update your choices at any time by contacting us.

**We will only tell you about products and services which we believe are of benefit to you and which are directly related to the services we provide to you.**

## **How long we keep your personal information**

We will keep your personal information for as long as you are a customer of Holbrook Curtis Limited/TLC Payroll Services Ltd and keep certain historic records for up to 6 years.

After you stop being a customer, we will only keep your data for up to 2 years for one of these reasons:

- To respond to any questions or complaints.
- To show that we treated you fairly.
- To maintain records according to rules that apply to us.

We may keep client data for longer than 2 years if we cannot delete it for legal, regulatory or technical reasons or for the same reasons, longer than 2 years if you cease to be a client.

## **How to get a copy of your personal information**

You can access your personal information we hold by writing to us at 3 Bath Mews, Bath Parade, Cheltenham, Gloucestershire, GL53 7HL.

## **Letting us know if your personal information is incorrect**

You have the right to question any information we have about you that you think is wrong or incomplete. Please contact us if you want to do this. If you do, we will take reasonable steps to check its accuracy and correct it.

## **What if you want us to stop using your personal information?**

You have the right to object to our use of your personal information, or to ask us to delete, remove or stop using your personal information if there is no need for us to keep it. This is known as the 'right to object' and the 'right to erasure', or the 'right to be forgotten'.

There may be legal or other official reasons why we need to keep or use your data. But please tell us if you think that we should not be using it.

We may sometimes be able to restrict the use of your data. This means that it can only be used for certain things, such as legal claims or to exercise legal rights. In this situation, we would not use or share your information in other ways while it is restricted.

You can ask us to restrict the use of your personal information if:

- It is not accurate.
- It has been used unlawfully but you don't want us to delete it.
- It is not relevant any more, but you want us to keep it for use in legal claims.
- You have already asked us to stop using your data but you are waiting for us to tell you if we are allowed to keep using it.

If you want to object to how we use your data or ask us to delete it or restrict how we use it, please contact us.

## **How to withdraw your consent**

You can withdraw your consent at any time. Please contact us if you want to do so.

If you withdraw your consent we may not be able to provide certain products or services to you. If this is so, we will tell you.

## **How to complain**

Please let us know if you're unhappy with how we have used your personal information.

You also have the right to complain to the Information Commissioners Office. You can find out how to report a concern on their website.

## **Future formats for sharing data**

The Data Privacy laws will change on 25 May 2018. From that date you will have the right to get your personal information from us in a format that can be easily re-used.

You can also ask us to pass on your personal information in this format to other organisations.

## **Compliance**

We will at all times to the best of our ability seek to comply with current GDPR regulations and HMRC guidelines.