



PRIVACY POLICY NOTICE

Effective date of policy and date of last change: May 2018

Berry Accountants Ltd respects your privacy and is committed to protecting your personal data. This privacy policy informs you how we look after your personal data and tells you about your privacy rights and how the law protects you. Personal data is defined as any information relating to an identifiable person – a person identified, directly or indirectly, by reference to an identification number, or one or more unique factors specific to that person.

The effective date of this policy is shown above. It is a living document that is subject to change and should be checked periodically. A copy will always be available on our website, berry.uk.com. Fundamental or major changes will be notified either directly via e-mail addresses we hold, or by placing prominent notices on our website.

Who we are

The data controller is **Berry Accountants Ltd** (referred to as 'the company', 'we', 'us' or 'our' in this policy), located at Bowden House, 36 Northampton Road, Market Harborough, Leicestershire LE16 9HE. We are committed to compliance with all relevant UK and EU laws in respect of personal data, and to protecting the rights and freedoms of individuals whose information we collect in accordance with the General Data Protection Regulations (GDPR).

To that end, we have developed, implemented, maintain and continuously improve this documented privacy policy.

The company is registered with the Information Commissioner's Office.

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice. If you (being business/personal contacts, customers, suppliers, or users of our website) have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out at the end of this policy.

Website

Our website (berry.uk.com) has links to a separate privacy policy relevant to usage of the site, as well as the current version of this general privacy policy.

Data we collect

The majority of the data we hold is in order to provide our professional services to you and includes business data and personal details of individual tax clients, shareholders, directors and employees.

We may also hold data of prospective clients, contacts and organisations relevant to the operation and development of our company.

We use different methods to collect this data; information provided by you when agreeing to become a client; information you subsequently supply to us during the course of our ongoing work; from publicly available information e.g. Companies House; and authorised correspondence with government bodies.

We hold the following broad categories of data:

- Basic identity and contact information (name, address, e-mail address, telephone numbers)
- Internal administration and transaction information – including payment and invoice data held in our accounts system, and information about time spent on tasks
- Information you supply to us, including information for tax returns, data and backups from accounts and payroll systems, spreadsheets and other documents
- Compliance data – for example – Tax Return, Statutory Accounts, Company Secretarial and P11D data
- Correspondence, e-mail history and other electronic and scanned documents held in our document management system
- Temporary documents, such as exported data from accounts systems; application working files; other files and scanned documents saved in preparation for e-mailing, encryption or loading into document management

We do not collect any special categories of sensitive personal data such as race or religion.

How we use the data

We use the data for the benefit of our clients to aid in the completion and understanding of audit, accounts, taxation and in the provision of general advice - to perform the services that we have been engaged by you to carry out. The data is also used to comply with legal and regulatory requirements, or to comply with those requirements on your behalf. We do not generally rely on separate consent outside the letter of engagement in order to carry out these duties.

We do not profile, mass-process client data or perform automated decision-making processes.

Accuracy of data

We want the data we hold to be accurate as possible. If you become aware that it is not please contact us as soon as possible so that we can correct it.

Lawful basis for processing data

We only use your personal data as the law allows.

In the terms of our engagement letter we have clients express consent and authority to process the data for the purposes of the services that we have agreed to provide.

We also store information and copies of identity documents in order to comply with Anti-Money Laundering legislation. This forms a legal obligation.

We also use limited personal data for legitimate informative newsletters, limited to our clients, regarding news about changes in areas of taxation, business law and other relevant information.

Once a year we also provide the option (by post) for clients to take up our fee protection service. This is only sent to clients that would benefit from the service.

We have considered the rights of the individual when sending out such communications and consider this contact to be reasonable and legitimate. The recipients of these communications have the right to provide or withdraw consent at any time.

How we store and protect your data

Digital data is stored on our secure and firewall-protected network servers. All equipment is maintained and configured to industry standards and is supported by implementation of strong password policies for data and applications. Data is kept available and secure with regular system backups kept both on- and off-site.

Devices such as smartphones, tablets, laptops and memory sticks (and other removable media) pose a well-publicised risk to data and are correspondingly more carefully controlled. Data held on such devices is kept to a minimum.

We remove hard drives from obsolete computers before disposal. They are then erased using appropriate secure wiping software and then physically destroyed.

Our profession has long had a duty of confidentiality and our staff sign confirmations to this effect annually and this covers every aspect of your data. Our employees only process data where instructed and their access to data is restricted where practical.

Physical data in the form of paper documents and files are stored securely in the office whilst current, and older documents are held in a secure archive facility.

File and data transfer

E-mails are sent over the internet using secure and encrypted protocols.

Given that transmission is encrypted, the remaining risk when e-mailing a file is that it is sent to the wrong recipient. When sending data or correspondence by e-mail this risk is assessed and we may therefore encrypt attachments using common software such as 7-zip, or utilise our portal for transferring files.

Use of our secure portal is encouraged for all clients where possible. However, we are aware clients have different technological abilities and needs, so we do not make it mandatory.

Disclosure of personal data

For the purposes of sending out newsletters and administering our fee protection service, it is necessary to disclose limited information to the external service providers that manage those services. These service providers are required to respect the security of the data and treat it in accordance with the law, and we do not allow them to use the data for any other purpose

Any information the service providers hold is strictly limited to basic contact information for the relevant clients only plus the minimum necessary non-sensitive data needed by the providers to manage those services.

Occasionally, at your request, we share information with your bank and solicitors and other professionals.

Data retention and rights of deletion (aka the “right to be forgotten”)

We only keep data for as long as necessary to fulfil the purposes we collected it for. However, we also have a legal obligation to keep records going back for six years. In this policy, we have considered the sensitivity of the data, and the risks in either retaining or deleting data.

We will not be able to comply with any request to delete any tax, accounts or correspondence within that period. However, we may be able achieve your objective in other ways, such as restricting access to your data. Please get in touch to see how we can help.

Paper and files

Physical data in the form of paper documents and files will be destroyed after six years.

Application data and documents held under our document management system

For current clients, our policy is to retain data and correspondence (where possible) for as long as we are acting for you. In practice, government bodies can and do go back many years when investigating tax cases and we need to go back to documents and correspondence to negotiate such cases.

We severely restrict access to data for clients we no longer act for and changes are being implemented by our software provider to enable deletion of data on request.

Payroll data

Payroll is special concern because it relates to your employees personal data rather than just yourself. However, as with your own data, we have a legal requirement to hold payroll data for six years. After that period data is reviewed and deleted.

Temporary working data

Day-to-day working with files, (for example, scanning, preparing files for e-mailing and exporting from one application to another) creates temporary files on our network or workstations that will no longer be needed when the work is done. It is our policy to review and delete this buildup regularly. On a request to delete data, we will not usually go through these temporary files for your data. They will instead be deleted along with all other temporary files on the next regular review.

Backup

Backups are currently retained for 30 days. On a request to delete data from our server, we will not normally delete data from backups. Data will be left to disappear naturally from the backup system(s) after this 30-day retention period.

E-mail History

This applies to e-mails held in user mailboxes. Relevant e-mails are recorded in our document management system, and those are dealt with as other correspondence.

Remaining e-mail histories will be retained for a maximum of 2 years and then removed.

Data portability

We can provide you, or a recipient of your choosing, with your personal data in a structured and machine-readable format. We cannot guarantee compatibility with other systems but in any case every effort will be made to provide data in a useful digital form.

Your rights

The GDPR was created to protect your fundamental rights and freedoms, and it gives you many rights to your data including

- Rights to access data we hold
- The “right to be forgotten” (erasure of data)
- Right to object to or restrict processing in certain circumstances
- The right to withdraw consent (where we rely on such consent for lawful processing)
- The right to transfer data (“data portability”)
- Response to your data requests within 30 days
- No fees for data requests in most cases

Not all rights are absolute; any exceptions are noted in this policy where applicable – principally in the area of data retention where we are legally obliged to keep data for a period of time.

We will not reproduce descriptions of the ins and outs of all your rights here; instead we recommend the Information Commissioner’s Office (ICO) website, www.ico.org.uk as an excellent resource for further information.

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). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Contact us

Any questions with regard to this policy, the information we hold or any requests under GDPR, please contact us. Either get in touch with the person you normally deal with in our office, or e-mail accountants@berry.uk.com and mark for the attention of our data privacy manager.