

## PRIVACY STATEMENT

**Shared Equity Ltd T/A CGA (“CGA”, “we”, “us”, or “our”)**, is strongly committed to protecting personal data. This privacy statement describes why and how we collect and use personal data and provides information about individuals’ rights. It applies to personal data provided to us, both by individuals themselves or by others. We may use personal data provided to us for any of the purposes described in this privacy statement or as otherwise stated at the point of collection.

Personal data is any information relating to an identified or identifiable living person. CGA processes personal data for numerous purposes, and the means of collection, lawful basis of processing, use, disclosure, and retention periods for each purpose may differ.

When collecting and using personal data, our policy is to be transparent about why and how we process personal data.

### Security

We take the security of all the data we hold very seriously. We have a framework of policies, procedures and training in place covering data protection, confidentiality and security and regularly review the appropriateness of the measures we have in place to keep the data we hold secure.

### 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.

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

3 & 4 Park Court  
Riccall Road  
Escrick  
York  
YO19 6ED

The Person in Charge of Privacy is Claire Barnard and in her absence Chelle Thirsk.

We may amend this 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.

This privacy Statement was last updated 15th May 2018

### The purposes for which we intend to process personal data:

- **To enable us to supply professional services to you as our client** . We provide a diverse range of professional services. Some of our services require us to process personal data in order to provide advice and deliverables. For example, we need to use personal data to provide individual tax advice.

- **Administering, managing and developing our businesses and services**  
We process personal data in order to run our business, including:
  - managing our relationship with clients;
  - developing our businesses and services (such as identifying client needs and improvements in service delivery);
  - maintaining and using IT systems;
  - hosting or facilitating the hosting of events; and
  - administering and managing our website and systems and applications
- **To contact you about other services we provide which may be of interest to you** with consent or otherwise in accordance with applicable law, we use client contact details to provide information that we think will be of interest about us and our services. For example, our monthly newsletter
- **Third party organisations that provide applications/functionality, data processing or IT services to us** in providing our services and to help provide, run and manage our internal IT systems. For example, providers of information technology, cloud based software as a service providers, identity management, website hosting and management, data analysis, data back-up, security and storage services. The servers powering and facilitating that cloud infrastructure are located in secure data centres within the EU, and personal data may be stored in any one of them.
- **Third party organisations that otherwise assist us in providing goods, services or information**
- **Auditors and other professional advisers**
- **Law enforcement or other government and regulatory agencies or to other third parties as required by, and in accordance with, applicable law or regulation** Occasionally, we may receive requests from third parties with authority to obtain disclosure of personal data, such as to check that we are complying with applicable law and regulation, to investigate an alleged crime, to establish, exercise or defend legal rights. We will only fulfil requests for personal data where we are permitted to do so in accordance with applicable law or regulation, including but not limited to:
  - to fulfil our obligations under relevant laws in force from time to time (e.g. the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (“MLR 2017”))
  - to comply with professional obligations to which we are subject as a member of the Association of Chartered Certified Accountants

#### **Categories of personal data collected:**

We process information relating to the above reasons/purposes. This information may include personal details:

Name and address: Date of Birth: Place of Birth: Marital Status: Nationality: Mobile & Digital contact details: Demographic information such as postcodes, preferences and interests: Financial, taxation & employment details.

**Source of personal data collected:**

ID provided for Anti-Money Laundering verification checks: HMRC correspondence: Companies House publically available information: Tax and Incorporation Checklists completed for the services we undertake: 3<sup>rd</sup> Party Credit and ID Verification Software: Tax Information provided to enable us to complete Tax Returns: Accountancy Records and other financial data: Handover information from previous accountants/advisors: New Employee Checklists: Website contact form: Information from 3<sup>rd</sup> parties.

**Persons/organisations to whom we may give personal data:**

HMRC: any third parties with whom you require or permit us to correspond: subcontractors: an alternate appointed by us in the event of incapacity or death: tax insurance providers: professional indemnity insurers: our professional body (the Association of Chartered Certified Accountants) 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)

If the law allows or requires 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.

We use 3<sup>rd</sup> parties located in other countries to help us run our business, as a result personal data may be transferred outside the countries where we and our clients are located, this includes countries outside of the European Union (EU).

**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:

We retain the personal data processed by us for as long as is considered necessary for the purpose for which it was collected (including as required by applicable law or regulation).

In the absence of specific legal, regulatory or contractual requirements, our baseline retention period for records and other documentary evidence created in the provision of services is 6 years.

- where tax returns have been prepared it is our policy to retain information for a minimum of 6 years from the end of the tax year to which the information relates
- where ad hoc advisory work has been undertaken it is our policy to retain information for a minimum of 6 years from the date the business relationship ceased
- where we have an ongoing client relationship, data which is needed for more than one year's tax compliance (e.g. capital gains base costs and claims and elections submitted to HMRC) is retained throughout the period of the relationship, and for at least a minimum of 6 six years following the cessation of our service contract.

Our contractual terms provide for the destruction of 3<sup>rd</sup> party documents and client records after 6 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.

Personal data may be held for longer periods where extended retention periods are required by law or regulation and in order to establish, exercise or defend our legal rights.

***Data appertaining to personal tax affairs, assets held, lifetime gifts and work we have undertaken may be kept by us for an indefinite period of time.***

Past experience demonstrates requests by clients, ex-clients, solicitors and insurers to provide information and evidence of records we held which dated back a considerable period of time. Individuals often only keep data for a period prescribed by HMRC due to storage facilities; we may maintain client historic data to enable any disputes to be settled and ensure individuals do not suffer when information is not attainable from any other source for example:

- Capital Gains Tax calculations where the original cost or enhancement information could not be located.
- Probate and Inheritance Tax issues as to the assets in the estate and lifetime gifts made.

### **Individuals' rights and how to exercise them**

Individuals have certain rights over their personal data and data controllers are responsible for fulfilling these rights. Where we decide how and why personal data is processed, we are a data controller and include further information about the rights that individuals have and how to exercise them below.

### **Access to personal data**

You have a right of access to personal data held by us as a data controller. This right may be exercised by emailing [Claire@cga-york.co.uk](mailto:Claire@cga-york.co.uk). We may charge for a request for access in accordance with applicable law. We will aim to respond to any requests for information promptly, and in any event within the legally required time limits (currently 40 days).

### **Amendment of personal data**

To update personal data submitted to us, you may email us [Claire@cga-york.co.uk](mailto:Claire@cga-york.co.uk) or, where appropriate, contact us via the relevant website registration page or by amending the personal details held on relevant applications with which you registered.

When practically possible, once we are informed that any personal data processed by us is no longer accurate, we will make corrections (where appropriate) based on your updated information.

### **Withdrawal of consent**

Where we process personal data based on consent, individuals have a right to withdraw consent at any time. We do not generally process personal data based on consent (as we can usually rely on another legal basis). To withdraw consent to our processing of your personal data please email us at [Claire@cga-york.co.uk](mailto:Claire@cga-york.co.uk) or, to stop receiving an email from a CGA marketing list, please click on the unsubscribe link in the relevant email received from us.

### **Other data subject rights**

This privacy statement is intended to provide information about what personal data we collect about you and how it is used. As well as rights of access and amendment referred to above, individuals may have other rights in relation to the personal data we hold, such as a right to erasure/deletion, to restrict or object to our processing of personal data and the right to data portability. Some of these rights will only be available from 25 May 2018.

If you wish to exercise any of these rights, please send an email to [Claire@cga-york.co.uk](mailto:Claire@cga-york.co.uk).

### **Complaints**

We hope that you won't ever need to, but if you do want to complain about our use of personal data, please send an email with the details of your complaint to [data.protection.office@uk.pwc.com](mailto:data.protection.office@uk.pwc.com). We will look into and respond to any complaints we receive.

You also have the right to lodge a complaint with the Information Commissioner's Office ("ICO") (the UK data protection regulator). For further information on your rights and how to complain to the ICO, please refer to the ICO website.