

Allathan Associates is a partnership based in Scotland. We take personal privacy seriously.

Our use of your personal data is subject to your instructions, the EU General Data Protection Regulation (GDPR), other relevant UK and EU legislation and our professional duties to clients.

Our Data Protection Officer oversees compliance with data protection laws and this policy and provides guidance and advice to the firm as required.

Contact information for our Data Protection Officer is provided below under the heading "How to contact us about this policy".

### **What personal data we collect about you**

We may collect information from you in the course of our business, including when you engage us to provide professional or other services, when you contact or request information from us, by telephone, email or post, when you use our website or as a result of your relationship with one or more of our staff and clients.

The personal information we may collect about you includes:

- Contact information such as your name, title, address (both business and home address), telephone and fax numbers, mobile phone number, job title, name of employer, fax number and email address;
- Where you are an employee or former employee of Allathan Associates or of a client for whom we are engaged to carry out payroll and book-keeping functions, we will also collect your Tax Code, National Insurance number, pension details and bank account details, along with any further information required to discharge our legal and fiscal duties in connection with those services;
- Information relating to the matter in which you are seeking our advice or representation;
- Further business information necessarily processed in the context of a client contractual relationship with Allathan Associates or voluntarily provided by you or on your behalf, such as instructions given or payments made or to be made;
- Information provided to us by or on behalf of our clients, or generated in the course of providing our services, which may include special category data;
- Information processed for relationship management such as name, business information, identification and your relationship to a person;
- Information about your use of our IT, communication and other systems including your password(s), and other monitoring information;
- Information to enable us to check and verify your identity, e.g. your date of birth or passport details;
- Payment data, such as data necessary for processing payments and fraud prevention, including credit/debit card numbers, bank and building society details including security code numbers and other related billing information, as well as, where applicable, information relating to the source of funds;
- Information provided to us for the purposes of attending meetings and events, including information about access or dietary requirements;
- Other personal data regarding your preferences where it is relevant to professional or other services that we provide;
- Details of your visits to our premises; and/or
- Membership of a professional or trade association or union.

In general, you will be able to choose whether or not to provide us with your personal data. If you do not provide the personal data that we need to collect then this may affect our ability to act on your behalf or to provide services to you, for example because this personal data is required to process your instructions or to carry out legally required compliance screening. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

### **How we collect your personal data**

We collect most of this information from you:

- When you or your organisation use or contact us to provide professional or other related client services;
- When you browse, provide information or use our website;
- When you or your organisation make an enquiry for our services or otherwise engage with our staff for business related purposes;
- When you attend a seminar or other event (including training) organised by Allathan Associates or where you are a guest of Allathan Associates;
- Where you sign up to receive information from us, including through our social media portals eg Facebook or Twitter
- Where you or your organisation provide services to us.
- We may also collect information from third party sources including:
- Publicly accessible sources such as Companies House or Registers of Scotland;
- Credit reference agencies or government agencies;
- Third party organisations that you have or have had dealings with.

We may also collect information via our website or via our information technology (IT) and other systems, for example:

- Case management, document management, and time recording systems;
- Automated monitoring of our websites and other technical systems, such as our computer networks and connections, communications systems, email and instant messaging systems.

We use cookies on our website (for more information on cookies, please see our [cookies policy](#)).

### **How and why we use your personal data**

Under data protection law, we can only use your personal data if we have a proper reason for doing so.

This will be for one of the following reasons:

- For the performance of our contract with you or to take steps at your request before entering into a contract, for example because processing is necessary for the performance of a client instruction;
- To comply with our legal and regulatory obligations;
- For our legitimate interests or those of a third party;
- Where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

We may process special category personal data for the following reasons:

- Where you have given your explicit consent;
- For compliance with a legal obligation;
- For the purposes of establishing, exercising or defending legal claims;
- Where it is in your vital interests;
- Where you have made the personal data public; and/or
- For compliance with an employment law obligation.

There may be additional reasons which will be notified to you where they apply.

When we refer to special category data we mean information such as about race or ethnicity, religious beliefs, sexual orientation, marital status and health. Information about criminal convictions is also included within this type of data.

In the next section "The basis on which we use your personal data" we give more information about the way in which your information is used.

### **The basis on which we use your personal data**

We use your data:

- To provide professional advice or other services to you;
- To ensure the confidentiality of commercially sensitive information;
- To manage and administer your or your organisation's business relationship with Allathan Associates, including use for the purposes of processing payments, accounting, auditing, billing and collection and other support services;
- To conduct checks to identify our clients and verify their identity;
- To screen for financial and other sanctions or embargoes, including credit reference checks with credit reference agencies;
- To comply with professional, legal and regulatory obligations that apply to our business, e.g. rules issued by professional bodies that we or our staff are members of;
- Where necessary, to gather and provide information required by or relating to audits, enquiries or investigations by enforcement authorities, regulatory bodies, courts, tribunals and government agencies;
- To deal with any complaints received;
- To ensure business policies are adhered to, e.g. policies covering security and internet use and to prevent unauthorized access and modifications to systems;
- For operational reasons, such as ensuring safe working practices, improving efficiency, risk management, training, staff assessment and quality control;
- For statistical analysis to help us improve our services and communications to you or the strength of our relationship with you or to manage our practice, e.g. in relation to our financial performance, client base, work type or other efficiency measures;
- To update and enhance client records;
- For marketing our services to you;
- For the purposes of external audits and quality checks, e.g. the audit of our accounts;
- For insurance purposes;
- To complete statutory returns;
- To identify those who are authorised to deal with Allathan Associates on behalf of our clients, suppliers and/or service providers;
- To ensure your needs are catered for in connection with any event you may attend; and/or
- For recruitment. Where you apply for a job we will give you further information about how your personal data will be used.

We will also process personal data which is provided to us by or on behalf of our clients for the purposes of services we provide to them.

## Managing our business

In relation to a number of uses of personal data we refer to above we are using such personal data on the basis that it is in our legitimate interests or those of a third party for us to do so. These interests cover a number of aspects of our business operations, namely:

- To allow us to deliver the best service for you at the best price;
- To allow us to provide bespoke services where requested by you;
- Protecting our commercially valuable information and also our intellectual property;
- Preventing and detecting fraud and/or criminal activity that could be damaging for us and for you;
- For credit control purposes and to make sure our clients can pay for the services we provide;
- For the purposes of risk management and to maintain our accreditations so we can demonstrate we operate to the highest standards; and
- Ensuring we are able to keep up to date with our clients and contacts and developments in their organisations.

## Marketing communications

We have a legitimate interest in processing your personal data for promotional purposes (see above "The basis on which we use your personal data"). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your personal data with the utmost respect.

We use personal data to look at whether you read the emails and other materials that we send to you. We also use it to look at whether you click on the links included in such materials and whether and how you visit our website after you click on that link (immediately and on future visits). We do this by using software that places a cookie on your device which tracks this activity and records it against your email address. Please see our [cookie policy](#) for more information about our use of cookies. If you remove this cookie it will not affect your use of our website.

You have the right to opt out of receiving promotional communications at any time by contacting our Data Protection Officer.

If you ask us to delete your information in accordance with your rights set out below, we will retain basic information on a suppression list to record your request and to avoid sending you unwanted materials in the future.

You can also contact us for more detail of the type of information you would like to receive from us by contacting our Data Protection Officer.

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

## Use of Website

Our website makes use of Google Analytics to look at how our website is used. This is done by placing small text files, known as session cookies, on your device to collect information about how visitors use our website. We use the information to compile reports and to help us improve the site. The cookies collect information in an anonymous form, including the number of visitors to the site, where visitors have come to the site from and the pages they visited. This information is transmitted to and stored by Google on servers in the US.

Further details of our use of cookies can be found in our [cookie policy](#).

## Who we share your personal data with

We may share personal data with:

- Professional advisers who we instruct on your behalf or refer you to, e.g. lawyers, accountants, tax advisors or other experts, forestry consultants, environmental consultants or any other businesses that has a legitimate interest in your data;
- Other third parties where necessary to carry out your instructions, e.g. a lender, Registers of Scotland or Companies House;
- With our client(s) - if we have collected your personal data in the course of providing legal or other services to any of our clients, we may disclose it to that client, and to others in the proper course of our duties or as required or permitted by law;
- Companies providing services for money laundering checks, credit risk reduction and other fraud and crime prevention purposes and companies providing similar services, including financial institutions, credit reference agencies and regulatory bodies with whom such personal data is shared;
- Our insurers and brokers, external auditors, banks and other third parties which provide services to us to allow us to fulfil our regulatory obligations and for risk management purposes;
- Courts, law enforcement authorities, regulators or lawyers or other parties where it is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim, or for the purposes of a confidential alternative dispute resolution process or to comply with our legal and regulatory obligations;
- Third parties for the purposes of collecting your feedback our service provision, to help us measure our performance and to improve and promote our services;
- External service suppliers, representatives and agents that we use to make our business more efficient, e.g. technology service suppliers, marketing agencies, document collation, translators or analysis suppliers;
- Third parties involved in hosting or organising relevant events to which you have been invited.

We will only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers to ensure they can only use your personal data to provide services to us and to you and to ensure compliance with data protection laws.

We may also, should the need arise, need to share some personal data with other parties, such as potential buyers of some or all of our business or during a re-structuring. Usually, information will be anonymised but this may not always be possible.

The recipient of the information will be bound by confidentiality obligations.

We may also use aggregated personal data and statistics for the purpose of monitoring website usage in order to help us develop our website and our services.

Other than as set out above, we will only disclose your personal data when you direct us or give us permission, when we are required by applicable law or regulations or judicial or official request to do so, or as required to investigate actual or suspected fraudulent or criminal activities.

Personal data about other people which you provide to us

If you provide personal data to us about someone else (such as one of your directors or employees, a member of your family or someone with whom you have business dealings) you should ensure that you are entitled to disclose that personal data to us and that, without our taking any further steps, we may collect, use and disclose that personal data as described in this privacy policy.

### **How long your personal data will be kept**

We will hold your data for as long as is necessary for the purposes set out in this privacy policy. Different retention periods apply for different types of data. We have in place a retention policy which sets out the different retention periods for the types of information we hold.

The retention periods we apply take account of:

- Legal and regulatory requirements and guidance;
- Limitation periods that apply in respect of taking legal action;
- Our ability to defend ourselves against legal claims and complaints;
- Good practice; and
- The operational requirements of our business.

When it is no longer necessary to retain your personal data, we will delete or anonymise it.

### **Updating personal data about you**

We also need to know that your information is accurate and up to date so please advise of any changes by contacting our Data Protection Officer. You should also contact our Data Protection Officer if you want to cancel any request you have made to us or you become aware of any inaccuracy in the data we hold about you.

### **Transferring your personal data out of the European Union**

To deliver services to our clients, it may be necessary for us to share your personal data outside the European Union (EU), e.g:

- Where we instruct professionals in connection with the services we are providing to clients;
- Where your, or our, service providers are located outside the EU;
- If you are based outside the EU.

These transfers are subject to special rules under European and UK data protection law.

We will, however, implement appropriate safeguards to ensure the transfer complies with European and UK data protection law and all personal data will be secure. If you would like further information on these safeguards please contact our Data Protection Officer.

### **The steps we take to protect your personal data**

We will take appropriate technical and organisational measures to keep your personal data confidential and secure. We have appropriate security measures in place which take account, in particular, of the risks arising from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

### **The rights you have in relation to your personal data**

You have the following rights, which you can exercise free of charge:

You can ask us to:

- Provide a copy of your personal data;
- Correct any mistakes in your personal data;
- Delete your personal data - in certain situations;
- Restrict processing of your personal data - in certain circumstances, e.g. if you contest the accuracy of the data; and
- Provide you with a copy of the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party - in certain situations.

You can object:

- At any time to your personal data being processed for direct marketing (including profiling);
- In certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests.

If you would like to exercise any of those rights, please contact our Data Protection Officer.

Your objection (or withdrawal of consent) may mean we cannot perform the services you have requested of us or you may not be able to use the services we offer. We will advise you where this is the case. In certain circumstances, even if you withdraw your consent, we may still be able to process your personal information if required or permitted by law or for the purpose of exercising or defending our legal rights or meeting our legal and regulatory obligations.

You also have the right to complain to the supervisory authority in the part of the European Union where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns>. We would, however, appreciate the chance to deal with your concerns before you approach the Information Commissioner so please contact us in the first instance.

Our contact details can be found in the section below "How to contact us about this policy".

#### **How to contact us about this policy**

Please contact us if you have any questions about this privacy policy or the information we hold about you.

Our contact details are shown below:

Data Protection Officer  
Allathan Associates  
49 High Street  
Turriff  
Aberdeenshire  
AB53 4EJ

Telephone: +44 (0)1888 563464  
Email: [steve.mackison@allathanassociates.co.uk](mailto:steve.mackison@allathanassociates.co.uk)