

## Privacy Notice – Client Data

### 1. Purpose of this Notice

- 1.1. Avraam Associates Limited is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR), the Data Protection Act and any other national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK ('Data Protection Legislation').

We have appointed a Data Protection Officer. Our Data Protection Officer is our Data Protection Point of Contact and is responsible for assisting with enquiries in relation to this privacy notice or our treatment of your personal data. Should you wish to contact our Data Protection Point of Contact you can do so using the contact details noted at paragraph 16 (Contact Us), below.

- 1.2. Avraam Associates Limited is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under Data Protection Legislation to notify you of the information contained in this privacy notice.
- 1.3. This notice applies to current and former clients. This notice does not form part of any contract of engagement or other contract to provide services. We may update this notice at any time.
- 1.4. It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

### 2. Data protection principles

- 2.1. We will comply with data protection law. This says that the personal information we hold about you must be:
- Used lawfully, fairly and in a transparent way.
  - Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
  - Relevant to the purposes we have told you about and limited only to those purposes.
  - Accurate and kept up to date.
  - Kept only as long as necessary for the purposes we have told you about.
  - Kept securely.

### 3. The kind of information we hold about you

- 3.1. Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).
- 3.2. We may collect, store, and use the following categories of personal information about you:

- a) Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- b) Date of birth.
- c) National Insurance number.
- d) Bank account details, payroll records and tax status information.
- e) Salary, annual leave and pension information.
- f) Copy of driving licence and / or other photographic ID such as a passport.
- g) Client information (including copies of right to work documentation, references, notes and opinions taken during and following meetings and other information or as part of the engagement process).
- h) Employment records (including job titles, work history, working hours, etc).
- i) Compensation history.
- j) Performance information.
- k) Information about your use of our information and communications systems.
- l) Photographs

#### **4. How is your personal information collected?**

- 4.1. We typically collect personal information about individuals, companies, employees and workers directly from the organisation or individuals. We may sometimes collect additional information from third parties including former employers, credit reference agencies or other background check agencies.
- 4.2. We will collect additional personal information throughout the period of our engagement. This will usually be directly from you but may be from third parties such as HMRC, Companies House or Accountants.

#### **5. How we will use information about you**

- 5.1. We need all the categories of information in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below:
  - a) Making a decision about your engagement.
  - b) Determining the terms and conditions of engagement.
  - c) Checking you are legally entitled to work in the UK.
  - d) HMRC related information.
  - e) Liaising with your pension provider.
  - f) Administering the contract we have entered into with you.

- g) Business management and planning, including accounting and auditing.
- h) Making decisions about our continued engagement.
- i) Making arrangements for the termination of our working relationship.
- j) Training and development requirements.
- k) Dealing with legal disputes involving you.
- l) Complying with HMRC obligations.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information. The majority of the above types of processing will be justified on the basis of being necessary to perform a contract and / or so that we comply with a legal obligation. A few will be justified on the basis of legitimate interests.

5.2. In terms of the legitimate interests of Avraam Associates Limited or of third parties, these legitimate interests will be:

- a) to enable us to deal with and defend and dispute or legal proceedings;

5.3. We may also use your personal information in the following situations, which are likely to be rare:

- a) Where we need to protect your interests (or someone else's interests).
- b) Where it is needed in the public interest or for official purposes.

5.4. If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

5.5. We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

5.6. Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **6. How we use particularly sensitive personal information**

6.1. "Special categories" of particularly sensitive personal information require higher levels of protection.

6.2. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- a) In limited circumstances, with your explicit written consent.
- b) Where we need to carry out our legal obligations and in line with our data protection policy.

- c) Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our data protection policy.
  - d) Where it is needed to assess our working capacity, subject to appropriate confidentiality safeguards;
  - e) Where it is necessary for establishing, exercising or defending legal claims;
- 6.3. Less commonly, we may process this type of information where it is to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
- 6.4. We will use your particularly sensitive personal information in the following ways:
- a) We may use all special categories of data to defend legal claims.
- 6.5. We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your terms of engagement with us that you agree to any request for consent from us.

## **7. Information about money laundering**

- 7.1. We envisage that we will hold information about money laundering checks.
- 7.2. We will collect information about money laundering as it is appropriate given the nature of the engagement and we are legally able to do so.
- 7.3. We will use information about criminal convictions and offences in the following ways:
- a) To comply with money laundering regulations 2017.
- 7.4. We are allowed to use your personal information in this way to carry out our obligations under the Money Laundering Regulations 2017. The processing will be in accordance with our data protection policy.

## **8. Automated decision-making**

- 8.1. Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention.
- 8.2. We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.
- 8.3. If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.
- 8.4. You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

## **9. Data sharing**

- 9.1. We may share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.
- 9.2. "Third parties" includes third-party service providers (including HMRC, accountants and designated agents) and other entities such as IT and Cloud services, professional advisory services, administration services and banking services.
- 9.3. All our third-party service providers and other entities are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.
- 9.4. We may share your personal information with other entities as part of our regular reporting activities, in the context of system maintenance support and hosting of data.
- 9.5. We may also need to share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.
- 9.6. We will not transfer the personal data we collect about you outside the European Economic Area (EEA).

## **10. Data Security**

- 10.1. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.
- 10.2. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **11. Data retention**

- 11.1. We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.
- 11.2. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 11.3. In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer an employee, worker or contractor of the company we will

retain and securely destroy your personal information in accordance with our data retention policy.

## 12. Change of purpose

Where we need to use your personal data for another reason, other than for the purpose for which we collected it, we will only use your personal data where that reason is compatible with the original purpose. Should it be necessary to use your personal data for a new purpose, we will notify you and communicate the legal basis which allows us to do so before starting any new processing.

## 13. Rights of access, correction, erasure, and restriction

13.1. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

13.2. Under certain circumstances, by law you have the right to:

- a) **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- b) **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- c) **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- d) **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- e) **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- f) **Request the transfer** of your personal information to another party.

13.3. If you want to exercise any of the above rights, please email our Data Protection Point of Contact at [info@avraam.co.uk](mailto:info@avraam.co.uk).

13.4. You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

13.5. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

#### **14. Right to withdraw consent**

- 14.1. In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please email our Data Protection Point of Contact at [info@avraam.co.uk](mailto:info@avraam.co.uk).
- 14.2. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

#### **15. Changes to this privacy notice**

- 15.1. We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.
- 15.2. This privacy notice was last updated on 24 May 2018.

#### **16. Contact us**

If you have any questions regarding this notice or if you would like to speak to us about the manner in which we process your personal data, please email our *Data Protection Point of Contact*, Costas Avraam at [info@avraam.co.uk](mailto:info@avraam.co.uk) or telephone 020 8447 6868.

You also have the right to make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues, at any time. The ICO's contact details are as follows:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone - 0303 123 1113 (local rate) or 01625 545 745

Website - <https://ico.org.uk/concerns>