

## **Privacy policy**

How we use your personal information

### **Last updated April 2018**

Your information will be held by Morrell Middleton Limited, Brodericks (York) Limited, Yorsolution Limited, Monster Payroll LLP (t/a Payroll-Angels), Monster management LLP and Insure-It Angels Limited.

More information on the company can be found at [www.morrell-middleton.co.uk](http://www.morrell-middleton.co.uk)

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

This privacy notice is to let you know we and our associated businesses promise to look after your personal information. This includes what you tell us about yourself, what we learn by having you as a client, 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.

### **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.

### **Data Protection law will change on 25 May 2018**

This notice sets out most of your rights under the new laws. We may update it again between now and 25 May 2018 when changes come into effect.

### **Who we are**

Our businesses are registered in England & Wales. It has several working arrangements using our brands, but these are different legal entities. We'll let you know which you have a relationship with, when you request services from us.

If you have any questions, or want more details about how we use your personal information, you can ask us by e-mail to [post@morrell-middleton.co.uk](mailto:post@morrell-middleton.co.uk)

Or you can call us on 01904 691141.

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

As well as our Privacy Promise, your privacy is protected by law. This section explains how that works.

Data Protection law says that we are allowed to use personal information only if we have a proper reason to do so. This includes sharing it with third parties to meet our legal and contractual obligations. The law says we must have one or more of these reasons:

- To fulfil a contract 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 interest, we will tell you what that is.

Here is a list of all the ways that we may use your personal information, and which of the 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
<p><b>-To deliver our services</b> which may include meeting the requirements of HMRC, Companies House, the Pension Regulator and third party pension providers</p> <ul style="list-style-type: none"> <li>- To help you obey the laws and regulations that apply to you</li> <li>- To provide you with relevant historical information about your business and personal financial affairs</li> <li>- To enable us to provide data to a third party (or verify data provided by a third party) at your request</li> <li>- To provide information in the event of a tax enquiry</li> <li>- To provide information to our associated businesses who are acting for you</li> <li>- To allow us to provide tax planning advice</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>- <b>To obey laws and regulations</b> that are applicable to us.</li> <li>- To detect, investigate, report, and seek to prevent financial crime.</li> <li>- To manage risk for us and our clients.</li> <li>- To respond to third party 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>
<p><b>-To run our business</b> in an efficient and proper way. This includes managing our financial position, business capability, planning, communications, and corporate governance.</p>	<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>-<b>To exercise our rights</b> set out in agreements or contracts.</li> <li>- To collect and recover monies that are owed to us</li> </ul>	<ul style="list-style-type: none"> <li>- Fulfilling contracts.</li> <li>- Our legitimate interests</li> </ul>	

- To respond to complaints and seek to resolve them.		
<ul style="list-style-type: none"> <li>- <b>To manage our relationship</b> with you or your business.</li> <li>- To develop new ways to meet our clients needs and to grow our business.</li> <li>- To develop and carry out marketing activities.</li> <li>- To provide advice or guidance about our services.</li> <li>- To develop and manage our brands and services.</li> <li>- To test new services.</li> <li>- To manage how we work with other companies that provide services to us and our clients</li> </ul>	<ul style="list-style-type: none"> <li>- Fulfilling contracts.</li> <li>- Our legitimate interests.</li> <li>- Our legal duty.</li> <li>- Your consent</li> </ul>	<ul style="list-style-type: none"> <li>- Seeking your consent when we need it to contact you.</li> <li>- Keeping our records up to date, working out which of our services may interest you and telling you about them.</li> <li>- Developing services and what we charge for them.</li> <li>- Defining types of clients for new services.</li> <li>- Being efficient about how we fulfil our legal and contractual duties.</li> </ul>

## Personal Information

We use many different kinds of personal information:

Type of personal information	Description
Financial	Your financial position, status and history.
Contact	Where you live and how to contact you.
Employment and tax status	This includes details about your work or profession, nationality, residency and domicile.
Transactional	Details about your account with us
Contractual	Details about the products or services we provide to you.
Behavioural	Details about how you use our services.
Technical	Details on the technology you use to contact us or to maintain your financial records
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 Companies House, 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, such whether you get e-mails or letters through the mail

National Identifiers	A number or code given to you by a government to identify who you are, such as a National Insurance number, tax reference, passport number or drivers licence
Special types of data	<ul style="list-style-type: none"> <li>• Racial or ethnic origin</li> <li>• Religious or philosophical beliefs</li> <li>• Trade union membership</li> <li>• Health data including gender</li> <li>• Criminal convictions and offences</li> </ul>

### Where we collect personal information from

We may collect personal information about you (or your business) from our associated companies from the following sources:

Data you give to us:

- When you contract with us for our services
- When you talk to us on the phone or meet with us
- When you use our websites or mobile device apps
- In emails and letters
- In financial reviews and interviews
- In client feedback surveys
- In questionnaires when we complete work for you e.g. tax return information

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

- Payment and transaction data.
- Profile and usage data. It includes other data about how you use our services. We gather this data from devices you use to connect to those services, such as computers and mobile phones, using cookies and other internet tracking software.

Data from third parties we work with:

- Companies and individuals that introduce you to us
- Government and law enforcement agencies, such as HMRC.
- Financial advisers
- Payroll service providers
- Public information sources such as Companies House
- Credit reference agencies
- Insurers
- Fraud prevention agencies

## **Who we may share your personal information with**

We may share your personal information with our associated businesses and these organisations:

- HM Revenue & Customs, regulators and other authorities
- Independent Financial Advisors in connection with services they are providing to you
- Companies we have a joint venture or agreement to co-operate with
- Organisations that introduce you to us
- Companies that we introduce you to
- Fraud prevention agencies
- 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 services you have chosen:

- If you use direct debits to settle our fees, we will share your data with the Direct Debit scheme provider.
- If you apply for a tax protection policy or insurance services through us or an associated business, we may pass your personal or business details to the policy provider
- If you make an insurance claim, information you give to us or the insurer may be put on a register of claims.

We may also share your personal information if the make-up of our business changes in the future. We may choose to sell, transfer, or merge parts of our business, or our assets. Or we may seek to acquire other businesses or merge with them.

- During any such process, we may share your data with other parties. We'll only do this if they agree to keep your data safe and private.
- If the change to our business happens, then other parties may use your data in the same way as set out in this notice.

## **How we use your information to make decisions**

We sometimes use systems to make decisions based on personal information we have – or are allowed to collect from others – about you or your business. This helps us to make sure our decisions are quick, fair, efficient and correct, based on what we know. These decisions can affect the services we may offer you now or in the future, or the price that we charge you for them.

Here are the types of decision we make:

### **Tailoring our services and pricing structure**

We may place you in groups with similar clients. We use this to study and learn about our clients' needs, and to make decisions based on what we learn. This helps us to design services for different client segments, and to manage our relationships with them. We may decide what to charge for some services based on what we know.

### **Becoming a client**

When you become a client with us, we check that the service is relevant for you, based on what we know. This may include checking age, residency, nationality or financial position.

### **Money Laundering Regulations**

We are obliged to confirm your identity before we provide services to you or your business. Once you have become a client of ours, we have a legal and professional duty to share your personal information if we suspect any money-laundering activity. 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 may use your data to:

- Confirm identities
- Help prevent fraud and money-laundering
- Fulfil any contracts you or your business has with us.

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

### **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
- Tax and National insurance reference numbers
- Financial data
- Data relating to your or your businesses products or services
- Employment details

### **Identity checks and Credit Reference Agencies**

We carry out identity checks when you apply to use our services for you or your business. We may use Credit Reference Agencies (CRAs) to help us with this.

To provide contracted services e.g. tax advice, we may link your records with a spouse, partner or civil partner or record that you are in business with other partners or directors.

You should tell them about this before you use our services. It is important that they know your records will be linked together, and that identity checks and credit searches may be made on them.

If you use our services, from time to time we may also search information that the CRAs have, to help us manage your account with us. The data we receive can include:

- Name, address and date of birth
- Credit application
- Details of any shared credit
- Financial situation and history
- Public information, from sources such as the electoral register and Companies House.

We'll use this data to:

- Assess whether you or your business are able to meet your contractual obligations to us
- Make sure what you've told us is true and correct
- Help detect and prevent financial crime
- Manage accounts with us
- Trace and recover debts

We will not provide your data directly to CRAs without your permission.

When we ask CRAs about you or your business, they will note it on your credit file. This is called a credit search. Other lenders may see this and we may see credit searches from other lenders.

CRAs may also link your records with a spouse, civil partner or business associate. These links will stay on your files unless one of you asks the CRAs to break the link. You will normally need to give proof that you no longer have a financial link with each other.

You can find out more about the CRAs on their websites, in the Credit Reference Agency Information Notice. This includes details about:

- Who they are
- Their role as fraud prevention agencies
- The data they hold and how they use it
- How they share personal information
- How long they can keep data
- Your data protection rights.

Here are links to the information notice for each of the three main Credit Reference Agencies:

[Callcredit](#)

[Equifax](#)

[Experian](#)

### **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 the services needed and it could mean that we cancel a 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 our services. This is what we mean when we talk about 'marketing'.

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 services may be relevant for you.

We can only use your personal information to send you marketing messages if we have either 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.

Whatever you choose, you'll still receive important information such as annual tax return questionnaires.

We may ask you to confirm or update your choices, if you subscribe to any new services with us in future. We will also ask you to do this if there are changes in the law, regulation, or the structure of our business.

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

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

We will keep your personal information for as long as you are a client.

After you stop being a client, we may keep 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, such as the Companies Act or tax legislation
- To provide information to you that is needed by other advisers in the future

We may keep your data if we cannot delete it for legal, regulatory or technical reasons. If we do, we will make sure that your privacy is protected and only use it for those purposes.

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

You can access your personal information we hold by writing to us at our registered office shown at the head of this notice

### **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 '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 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 on 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 or, 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 services to you. If this is so, we will tell you.

### **How to complain**

Please let us know if you are unhappy with how we have used your personal information by writing to us at our registered office or by e-mail to [post@morrell-middleton.co.uk](mailto:post@morrell-middleton.co.uk)

You also have the right to complain to the Information Commissioner's Office. Find out on their website how to [report a concern](#).

### **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.