

## Privacy Notice

The following information is provided to comply with the requirements of the General Data Protection Regulation.

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.

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| <b>Identity and contact details of the controller and where applicable, the controller's representative and the data protection officer</b> | <p>Where an insolvency practitioner of Smith Cooper is not appointed as office holder, the data controller is either the company/individual on whose instructions Smith Cooper is acting or it is Smith Cooper. The contact details of Smith Cooper are: St Helen's House, King Street, Derby, DE1 3EE, 01332 332 021, <a href="mailto:creditor.correspondence@smithcooper.co.uk">creditor.correspondence@smithcooper.co.uk</a>.</p> <p>Where an insolvency practitioner of Smith Cooper is appointed as office holder and the data processing is carried out as part of their statutory duties, the office holder(s) is/are the data controllers. The insolvency practitioner(s) can be contacted at: Smith Cooper, St Helen's House, King Street, Derby, DE1 3EE, 01332 332 021, <a href="mailto:creditor.correspondence@smithcooper.co.uk">creditor.correspondence@smithcooper.co.uk</a>.</p> |
| <b>How we use your personal information</b>   | <p>The purpose for which personal information is processed may include any or all of the following:</p> <ul style="list-style-type: none"><li>• deliver services and meet legal responsibilities</li><li>• verify identity where this is required</li><li>• communication by post, email or telephone</li><li>• understand needs and how they may be met</li><li>• maintain records</li><li>• process financial transactions</li><li>• prevent and detect crime, fraud or corruption</li><li>• may also need to use data to defend or take legal actions related to the above</li></ul>  |
| <b>Lawful basis for the processing</b>  | <p>Most processing is carried out to comply with our legal obligations under statute and other regulatory obligations related to the insolvency process. We also believe our processing is for the legitimate interests of all stakeholders in the insolvency process, as they are entitled to be kept informed and may wish to engagement in the insolvency process. Where Smith Cooper has engaged with a client to perform a service, we will be required to process data to provide the service in accordance with the contractual terms.</p>  |

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| <p><b>What personal information we hold</b></p> | <p>The categories are: contact details, financial information and location. In rare cases, we may hold some special category data, e.g. trade union membership or information about individuals' health, which will be necessary to administer the insolvency process in line with our legal obligations.</p>   |
| <p><b>Who we share our data with</b></p>        | <p>Our firm may have offices outside of the UK and the European Union ("EU"). We may also use third 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 the EU and countries that do not have laws that provide specific protection for personal data. We have taken steps to ensure all personal data is provided with adequate protection and that all transfers of personal data outside the EU are done lawfully. Where we transfer personal data outside of the EU to a country not determined by the European Commission as providing an adequate level of protection for personal data, the transfers will be under an agreement which covers the EU requirements for the transfer of personal data outside the EU.</p> <p>Personal data held by us may be transferred to:</p> <p><b>Other member firms and/or Other offices</b><br/> Details of our member firm/other office locations are available here <a href="http://www.smithcooper.co.uk">www.smithcooper.co.uk</a>. We may share personal data with other member firms/other offices where necessary for administrative purposes and to provide professional services to our clients.</p> <p><b>Third party organisations that provide applications/functionality, data processing or IT services to us</b><br/> We use third parties to support 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 around the world, and personal data may be stored in any one of them.</p> <p><b>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</b></p> <p>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.</p> |

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| <p><b>How long we retain your personal information</b></p> | <p>We retain personal data for as long as is necessary to achieve the purpose listed above and for any other permissible related purpose. For example, we retain most records until the time limit for claims arising from the activities has expired or otherwise to comply with statutory or regulatory requirements regarding the retention of such records.</p>   |
| <p><b>Your rights</b></p>                                  | <p>The GDPR provides the following rights for individuals:</p> <p>Right to inform<br/>This privacy notice meets our requirement to inform you of our processing of your data.</p> <p>Access to personal data<br/>You have a right of access to personal data held by us as a data controller. This right may be exercised by contacting us. We will aim to respond to any requests for information promptly, and in any event within one month.</p> <p>Amendment of personal data<br/>To update personal data submitted to us, you may email us at <a href="mailto:creditor.correspondence@smithcooper.co.uk">creditor.correspondence@smithcooper.co.uk</a> 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.</p> <p>Rights that do not apply in these particular circumstances<br/>Not all of the rights under the GDPR are available as one of the reasons we are holding your data is on the basis of it being a legal obligation and therefore the right to erasure, data portability and to object do not apply.</p> |
| <p><b>Right to withdraw consent</b></p>                    | <p>The data received was not based upon obtaining consent and therefore the right to withdraw consent does not apply.</p>   |
| <p><b>Changes to our privacy statement</b></p>             | <p>We keep this privacy statement under regular review and will place any updates on our website. Paper copies of the privacy statement may also be obtained by writing to us at Smith Cooper, St Helen's House, King Street, Derby, DE1 3EE.</p> <p>This privacy statement was last updated on 15 February 2019.</p>   |
| <p><b>Complaints</b></p>                                   | <p>Should you want to complain about our use of personal data, please contact us <a href="mailto:creditor.correspondence@smithcooper.co.uk">creditor.correspondence@smithcooper.co.uk</a>.</p> <p>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 <a href="https://ico.org.uk/for-the-public/raising-concerns/">https://ico.org.uk/for-the-public/raising-concerns/</a>.</p>   |
| <p><b>Who provided the personal data</b></p>               | <p>The personal data we have used to contact you was provided by the company/individual (or persons acting on their behalf) on whose instructions we are acting or in relation to which our insolvency practitioner has been appointed. We also access information from the Registrar of Companies and other similar public-access data providers.</p>  |

