

PRIVACY NOTICE

1. ABOUT

Baxters Business Consultants¹ respect the privacy of our clients (“**you**”) and we recognise the need for appropriate protections and management of your personal information.

When we, and our service providers, collect and use your personal information and special category data, we are the data controller for the purpose of Data Protection Legislation (defined below).

2. PURPOSE

We have prepared this Privacy Notice to assist you in understanding what information we collect about you and how that information is used by us and by third parties.

¹ For ease of reading the plural we/our/us is used to include I/my/me throughout this document

3. KEY TERMS

When we refer to **Data Protection Legislation** we mean the General Data Protection Regulation (Regulation (EU) 2016/679) (“**GDPR**”); and the Data Protection Act 2018, implemented by the UK to give effect to the derogations permitted under the GDPR.

Personal information is information that can be used to identify or contact a specific individual, such as a name, address, telephone number, email address, etc., and also online identifiers and location data such as IP addresses and mobile device IDs.

Special category data means personal information revealing your racial or ethnic origin; political opinions; religious or philosophical beliefs; or trade union membership; genetic data; biometric data; data related to your health or data concerning your sex life or sexual orientation; and criminal convictions or involvement in criminal proceedings.

A **data controller** is someone who decides why personal data is to be collected and how it will be used and treated.

4. CONTACT

If you have any questions regarding the Privacy Notice you can contact us at: nickbaxter@baxtersbc.co.uk.

If you are unhappy with how we handle your personal information you can write to us using the contact details noted above; and / or notify the Information Commissioner’s Office (ICO) (please see: <https://ico.org.uk/concerns/> for more information).

5. HOW DO WE USE YOUR PERSONAL INFORMATION AND WHY?

Information	Why we collect it	Legal basis	Special category data condition	Effect of not providing the information if legal condition or contractual condition
Identity data - title, first name, last name, the company you work for (where relevant), your job title or position, date of birth, location and other information to enable us to check and verify your identity (for example passport details, driving licence and utility bills or bank statements)	To allow us to identify our client and to comply with our obligations in relation to identification, anti-money laundering and due diligence checks.	Legal obligation.	N/a	We will be unable to provide services to you/on your behalf.
Contact data - billing address, residential and/or business address, email address and telephone numbers (business and/or personal including fax).	To allow us to contact you in relation to the services we are providing to you/on your behalf.	On the basis of our contractual obligation (providing the expert witness services to you/on your behalf)	N/a	We will be unable to provide services to you/on your behalf.

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Information	Why we collect it	Legal basis	Special category data condition	Effect of not providing the information if legal condition or contractual condition
Transaction data - details about the services relating to the matter you have instructed us on; the information we will process about you to open our files and administer the client relationship and any credit checks we may have carried out.	To allow us to examine the case and provide our services to you in line with your instructions.	On the basis of our contractual obligation (providing the expert witness services to you/on your behalf)	N/a	We will be unable to provide services to you/on your behalf.
Special categories of personal data - race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data) in order to provide you with our services.	In very limited circumstances we may process special categories of data in order to provide our services to you.	On the basis of our contractual obligation (providing the expert witness services to you/on your behalf)	The processing is necessary for the establishment, exercise or defence of legal claims or you have made the information public or the processing is necessary for reasons of substantial public interest (usually to undertake activities in relation to the prevention or detection of fraud or other unlawful or dishonest activities) or you have given us your explicit consent to do so.	We will be unable to provide services to you/on your behalf.

Information	Why we collect it	Legal basis	Special category data condition	Effect of not providing the information if legal condition or contractual condition
Criminal convictions data	To enable us to provide services to you/on your behalf.	On the basis of our contractual obligation (providing the expert witness services to you/on your behalf)	Prevention or detection of unlawful acts or complying with our regulatory requirements in relation to unlawful acts or dishonesty or dealing with suspicions of terrorist financing, money laundering or acts of bribery or processing is necessary for the establishment, exercise or defence of legal claims.	We will be unable to provide services to you/on your behalf.

6. HOW DO WE KEEP YOUR PERSONAL INFORMATION UP-TO-DATE?

Please contact us at nickbaxter@baxtersbc.co.uk as soon as possible after there is any change to your personal details, including your contact details.

7. DO WE SHARE PERSONAL INFORMATION?

We contract with third party service providers and suppliers to deliver certain services. [We have data processing agreements in place with each of these providers so that they process your personal data in accordance with this Privacy Notice.]

The following third parties may have access to your personal information and, in some circumstances, your special category data (if applicable), for the purposes noted below:

- our email hosts;
- our archival and storage provider
- any other person who is authorised to act on your behalf;
- counterparties (including their lawyers and client) to transactions or litigation, other professional service providers such as lawyers and accountants, counsel, barristers, arbiters, arbitrators, mediators, clerks, medical professionals, witnesses, tax advisors or valuers;
- regulators, government departments, law enforcement authorities, tax authorities and insurance companies;
- our confidential waste management provider
- our IT and communications service provider
- our document processing provider
- our general insurers, auditor and accountants, pension providers, banks and other financial institutions, credit reference agencies and regulatory bodies;
- our professional indemnity and other relevant insurers];
- our any relevant dispute resolution body or the courts; and
- persons in connection with any sale, merger, acquisition, disposal, reorganisation or similar change in our business.

Some of these entities may also be data controllers under the Data Protection Law.

Except as provided above, we will not share personal information with any other third parties without informing you beforehand, unless required by, or in connection with, law and / or regulatory requirements.

We will not sell, trade or lease your personal information to others.

8. EUROPEAN ECONOMIC AREA

The data that we collect from you will usually be stored inside the UK or the European Economic Area (EEA).

However, if you live or work outside of the UK or the EEA, we may need to transfer your personal data outside of the UK or the EEA to correspond with you. Where this applies, we will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy notice.

We also may transfer data outside the UK or the EEA where our, service providers host, process, or store data outside the UK or the EEA. Where we do this, we will ensure that the transfer is to a country covered by a decision of the European Commission or is otherwise made in circumstances where we have put appropriate safeguards in place to protect your data in accordance with the Data Protection Law.

RETENTION PERIODS

We will not hold your personal information for any longer than is necessary for the uses outlined above, unless we are required to keep your personal data longer to comply with the law and any regulatory requirements. The length of time we shall retain it for shall be determined by a number of factors, including the type of data, the purpose for which we use that data including our legal and regulatory obligations which we must

comply with when we collect and process personal data. We will also take into account the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of personal data.]

9. YOUR RIGHTS

You have certain rights under the Data Protection Legislation which can be exercised by contacting us at: nickbaxter@baxtersbc.co.uk including:

- the right to access the personal data held about the you by making a subject access request in accordance with the Data Protection Legislation. We may charge a reasonable fee when a request is manifestly unfounded or excessive;
- the right to have your personal data rectified if it is inaccurate or incomplete;
- the right to request to have your personal data deleted in certain specific circumstances as set out in the Data Protection Legislation;
- the right to request to restrict the processing of your personal data in certain specific circumstances as set out in the Data Protection Legislation;
- the right to ask us not to process your personal data for marketing purposes or for purposes based on our legitimate interests;
- the right to ask us to not undergo automated decision making; and
- where you have provided consent, to request to withdraw such consent at any time.

Please note that if you choose to exercise your rights to have personal data restricted or deleted, then we may not be able to act. Further details about your rights can be found on the ICO's website at <https://ico.org.uk/>.