

# Website Privacy Notice



## **1 Introduction**

- 1.1 This Privacy Notice forms part of the overall Data Protection Policy of The Liverpool Merchants' Guild.
- 1.2 The Liverpool Merchants' Guild takes your privacy very seriously. We ask that you read this Privacy Notice carefully as it contains important information about what to expect when The Liverpool Merchants' Guild collects personal information about you and how we will use your personal data.
- 1.3 The Liverpool Merchants' Guild is a registered charity incorporated by Royal Charter in 1914 and has its registered office at Moore Stephens (North West) LLP, 110-114 Duke Street, Liverpool, L1 5AG.
- 1.4 Moore Stephens (North West) LLP is a limited liability partnership, incorporated in England and Wales with registered number OC336114.
- 1.5 Moore Stephens (North West) LLP acts as Data Controller and the role in which it processes Personal Data accords with guidance issued by both the Information Commissioners' Office (ICO) and the Institute of Chartered Accountants in England and Wales (ICAEW).
- 1.6 The data contact at The Liverpool Merchants' Guild is Brian McGain and he can be contacted at [info@theliverpoolmerchantsguild.org.uk](mailto:info@theliverpoolmerchantsguild.org.uk)
- 1.7 This policy applies to information we collect about:
  - 1.7.1 visitors to our website
  - 1.7.2 people who do business with us or register for our service

## **2 The information we collect about you**

When you do business with us or register for our service we collect the following personal information from you:

- 2.1 Where you are an individual applicant:
  - 2.1.1 Name
  - 2.1.2 date of birth
  - 2.1.3 address, email address and telephone number
  - 2.1.4 health information in respect of any disabilities
  - 2.1.5 marital status/children/next of kin
  - 2.1.6 financial information including that of third-party contributions, income and taxation
  - 2.1.7 employer or former employer name, contact title, telephone number or email
  - 2.1.8 business activities information
- 2.2 Where you are an intermediary applying on behalf of an individual:
  - 2.2.1 Your Name
  - 2.2.2 postal address, email address and telephone number
  - 2.2.3 applicant's name, address and all information types contained within 2.1.2 to 2.1.8 above
- 2.3 Where your application has been successful and you are a beneficiary or about to be a beneficiary of funds:
  - 2.3.1 bank account information (once an application is approved and an award made)

- 2.3.2 any other information which we require in order to process the application such as tax information or earnings records
- 2.4 To enable us to consider your [application](#), whether to establish your financial means or determine other factors as to whether you qualify for assistance, we may need to provide a third party or parties with your data. If this is required, then we will obtain your consent to do so unless we are able to do so by relying on one of the lawful bases contained within Article 6 GDPR. It is likely we will be relying on consent, contract, legal obligation and/or legitimate interests as our basis/bases for processing.
- 2.5 We will only collect that information that is strictly necessary to enable us to perform our lawful basis for processing.
- 2.6 Our reasons for processing your data is to enable us to comply with our legal and regulatory duties and verify your information, following which we are able to act for you in the pursuance of your application for financial assistance or, where your application has been successful, as a beneficiary for those funds.

### **3 How we will use the information about you**

- 3.1 We gather this information to allow us to provide the services requested. The relevant information is then used by us to communicate with you on any matter relating to the conduct of the instructions in general. Please note that we may process Personal Data for more than one lawful basis, depending on the specific purpose for which we are using that information:
- 3.2 Performance of a contract – we may be required to process Personal Data for purposes necessary for the performance of our contract with our clients. For example, this may include processing Personal Data to provide individual tax advice to a client or processing the Personal Data of a Data Subject who is the employee, subcontractor, supplier or customer of our client.
- 3.3 Legitimate interests - we may process Personal Data for the purposes of our own legitimate interests in the effective delivery of information and services to our clients, and in the effective and lawful operation of our businesses, provided that those interests do not override the interests, rights and freedoms of a Data Subject which require the protection of that Personal Data. Examples of such processing activities include:
- managing our relationship with clients;
  - developing our businesses and services (such as identifying client needs and improvements in service delivery);
  - monitoring the services we provide clients for quality control purposes, which may involve processing the Personal Data stored on the relevant professional file;
  - managing risk in relation to client engagements and to the firm generally;
  - maintaining and using IT systems, including security monitoring to identify harmful programs;
  - hosting or facilitating the hosting of events;
- 3.4 Compliance with a legal obligation - as professional services provider we are subject to legal, regulatory and professional obligations. We will process Personal Data as necessary to comply with those obligations. One example of such processing includes anti-money laundering activities such as carrying out searches (such as internet searches and sanctions lists) to identify politically exposed persons and heightened risk individuals and organisations, and to check that there are no issues that would prevent us from working with a particular client (such as sanctions, criminal convictions (including in respect of company directors), conduct or other reputational issues). We are also to keep certain records to demonstrate that our

services are provided in compliance with our legal, regulatory and professional obligations.

- 3.5 Consent - in certain limited circumstances, such as where a Data Subject has agreed to receive marketing communications from us, we may process Personal Data by consent. Where consent is the only basis upon which Personal Data is processed the relevant Data Subject shall always have the right to withdraw their consent to processing for such specific purposes. It is our policy to only process Personal Data by consent where there is no other lawful basis for processing.

#### **4 Data retention**

- 4.1 We retain the Personal Data processed by us for as long as is considered necessary for the purpose for which it was collected (including as required by applicable law or regulation). In the absence of specific legal, regulatory or contractual requirements, our standard retention period for records is 7 years.
- 4.2 The exceptions to the general retention period are records (except audit files) relating to taxation on foreign investments which the HMRC determines as having historic value is defined as 20 years after the last entry in the record, with an additional one calendar year for final review and transfer or destruction.
- 4.3 Our standard email retention period is 7 years.
- 4.4 We continually review our data retention policies, and we reserve the right to amend the above retention periods without notice.
- 4.5 Other records, which are not required to be retained, will be kept for a period of time depending on:
  - 4.5.1 the type, amount and categories of Personal Data we have collected;
  - 4.5.2 the requirements of our business and the services we provide;
  - 4.5.3 the purposes for which we originally collected the Personal Data;
  - 4.5.4 the lawful grounds upon which we based our processing;
  - 4.5.5 any relevant legal or regulatory obligations;
  - 4.5.6 whether the purpose of the processing could be reasonably fulfilled by other means.

#### **5 Marketing**

- 5.1 We only conduct marketing campaigns via postal methods to intermediaries and other charitable organisations. We do not conduct any direct or electronic marketing. However, should this change in the future, we will seek your permission first before contacting you in this way.

#### **6 How we protect your information**

- 6.1 In respect of our Personal Information Management Systems, we have a framework of policies, procedures and training in place covering data protection, confidentiality and security and regularly review the appropriateness of the measures we have in place to keep the data we hold secure. We have put in place appropriate security measures to prevent Personal Data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. This is not only in accordance with our obligations under GDPR, but also in accordance with our regulatory obligations of confidentiality.
- 6.2 In respect of our Information Security Management Systems, we have put in place the following security procedures and technical and organisational measures to safeguard your personal information: including firewalls, anti-virus software, anti-

spam software, anti-malware, auto or real-time updates on your systems and applications, URL filtering, secure data backup, encryption, monitoring and blocking.

- 6.3 We have put in place appropriate security measures to prevent Personal Data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. This is not only in accordance with our obligations under GDPR, but also in accordance with our regulatory obligations of confidentiality.
- 6.4 In addition, we limit access to Personal Data to those employees, agents, contractors and other third parties who have a business need to know, and our IT systems operate on a 'least privileged' basis by default. Third parties will only process Personal Data on our instructions and they are subject to a duty of confidentiality.
- 6.5 We have put in place procedures to deal with any suspected data security breach and will notify any affected Data Subject and any applicable regulator of a suspected breach where we are legally required to do so.
- 6.6 In some circumstances we may anonymise or pseudonymise Personal Data so that it can no longer be associated with the Data Subject, in which case we may use it without further notice.
- 6.7 We will use all reasonable efforts to safeguard your personal information. However, you should be aware that the use of the Internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any personal information which is transferred from you or to you via the Internet.

## **7 Access to your information and updating and correcting your information**

- 7.1 You have the right to request a copy of the information that we hold about you. If you would like a copy of some or all of your personal information, please send an email to [info@theliverpoolmerchantsguild.org.uk](mailto:info@theliverpoolmerchantsguild.org.uk) or send a letter to The Secretaries, The Liverpool Merchants' Guild, 110-114 Duke Street, Liverpool, L1 5AG.
- 7.2 We want to ensure that your personal information is accurate and up to date. If any of the information that you have provided to The Liverpool Merchants' Guild changes, for example if you change your email address or name, please let us know the correct details by sending an email to [info@theliverpoolmerchantsguild.org.uk](mailto:info@theliverpoolmerchantsguild.org.uk) or send a letter to The Secretaries, The Liverpool Merchants' Guild, 110-114 Duke Street, Liverpool, L1 5AG.
- 7.3 You may ask us, or we may ask you, to correct information you or we think is inaccurate, and you may also ask us to remove information which is inaccurate.

## **8 Your Rights**

- 8.1 Under the Data Protection Act 2018 and the General Data Protection Regulation 2016 (GDPR), you have the following data subject rights:

- 8.1.1 The right to be informed about what information we hold about you
- 8.1.2 The right of access to the information we hold about you
- 8.1.3 The right to rectification of any data we hold about you which is incorrect
- 8.1.4 The right to erasure of any data which we either no longer require, or which is irrelevant, or which you object to
- 8.1.5 The right to restrict processing while considering your requests under either 8.1.4 or 8.1.7
- 8.1.6 The right to data portability in a machine-readable format which easily accessible
- 8.1.7 The right to object to us processing your data
- 8.1.8 Rights in relation to automated decision-making and profiling. For the avoidance of doubt, we use automated decision-making to determine the qualifying criteria of an individual's application, but you have the right to obtain human intervention on a decision.

### **Withdrawal of Consent**

- 8.2 You also have the right to withdraw consent at any time if where you had previously provided us with it. To withdraw your consent please send an email to [info@theliverpoolmerchantsguild.org.uk](mailto:info@theliverpoolmerchantsguild.org.uk)
- 8.3 Where you are dissatisfied with how we are handling your request or you think we have acted or omitted to act in a way that causes risk to your rights and freedoms then you have the right to lodge a complaint with a supervisory authority, which in the United Kingdom is the [Information Commissioners' Office \(ICO\)](#)

## **9 Exercising Your Rights**

- 9.1 You may contact us in accordance with 7.1 and 7.2 above to exercise your rights. For requests of information, we will not normally charge for carrying out this service however where appropriate, we are entitled to charge a reasonable administrative fee. Where a request is unfounded, repetitive or excessive, we will charge a fee and seek further information from you as to the specific information and purpose behind your request.
- 9.2 We will provide you with a newly created document listing the information we are required to provide under data protection legislation.
- 9.3 Where you make a specific request for documents will be provide a copy of these.
- 9.4 Where the request is made by a third party on your behalf, we will always require them to provide evidence of your authorisation to carry out this request. This will usually take the form of a signed form of authority. In some instances we may require a second layer of protection to ensure the request is legitimate. This may include, for example, requesting proof of identification from you.
- 9.5 We will endeavour to deal with legitimate requests within one month. We may, where necessary, i.e. owing to the complex nature of the exercise, require a longer time period which we are entitled to under data protection legislation.

## **10 Changes to our Data Protection Policy and Privacy Notice**

- 9.1 We keep our Privacy Notice under regular review. If we change our Privacy Notice we will post the changes on this page, and place notices on other pages of the website, so that you may be aware of the information we collect and how we use it at all times. This Privacy Notice was last updated on 12 February 2019.

## **11 How to contact Liverpool Merchants Guild**

- 11.1 We welcome your views about our website and our Privacy Notice. If you would like to contact us with any queries or comments please send an email to [info@theliverpoolmerchantsguild.org.uk](mailto:info@theliverpoolmerchantsguild.org.uk) or send a letter to Alison Rawlinson, The Liverpool Merchants' Guild, 110-114 Duke Street, Liverpool L1 5AG.

## **12 Links to other websites**

- 12.1 Our website contains a link to our [website manager](#). However, this Privacy policy applies only to this website. Should we provide links to other websites, such as a testimonial link, we ask that when you access links to the other websites you also read their own privacy policies.

## **13 Data Protection Policy**

This Privacy Notice forms part of our overall Data Protection Policy, a copy of which is available on request by sending an email to [info@theliverpoolmerchantsguild.org.uk](mailto:info@theliverpoolmerchantsguild.org.uk) or send a letter to The Liverpool Merchants' Guild, 110-114 Duke Street, Liverpool L1 5AG.