



## **ADAMS HENDRY CONSULTING LIMITED PRIVACY NOTICE FOR ADVISORS AND PROSPECTIVE ADVISORS**

Data Controller:

**Adams Hendry Consulting Ltd (AHCL)**

Data Controller's Representative:

**The relevant AHCL Director in charge of the commission or prospective commission.**

Data Processor:

**Director in charge of the commission and any AHCL employee working on the commission.**

### **Introduction**

1. AHCL collects and processes personal information, or personal data, relating to advisors and prospective advisors, their employees and internal advisors in order to undertake commissions for its clients and to manage the working relationship. This personal information may be held by AHCL on paper or in electronic format.

2. AHCL is committed to being transparent about how it handles such personal information, to protecting the privacy and security of such information and to meeting its obligations under the General Data Protection Regulations ('GDPR') and the Data Protection Act 2018. The purpose of this privacy notice is to make our advisors aware of how and why AHCL will collect and use personal data both during and after any relationship with AHCL. We are required under the GDPR to inform advisors of the information contained in this privacy notice.

3. This privacy notice applies to all current, prospective and former advisors, their employees and internal advisors ('advisors').

### **Data protection principles**

4. Under the GDPR, there are six data protection principles that AHCL must and will comply with. These provide that the personal information which we hold in respect of our advisors must be:

- a) Processed lawfully, fairly and in a transparent manner.
- b) Collected only for legitimate purposes that have been clearly explained and not further processed in a way that is incompatible with those purposes.
- c) Adequate, relevant and limited to what is necessary in relation to those purposes.
- d) Accurate and, where necessary, kept up to date.
- e) Kept in a form which permits identification for no longer than is necessary for those purposes.
- f) Processed in a way that ensures appropriate security of the data.

### **What types of personal information do we collect about our advisors?**

5. Personal information is any information about an individual from which that person can be directly or indirectly identified. AHCL collects, uses and processes a range of personal information about its advisors. This includes (as applicable):

- a) Name;
- b) Business Address;
- c) Personal Address;
- d) Business phone number;
- e) Personal phone number;

- f) Business e-mail address;
- g) Personal e-mail address;
- h) Details of skills, qualifications and work history, and
- i) Professional memberships.

6. AHCL do not consider that they hold or process any 'special categories' of personal information about its advisors.

### **How is personal information collected?**

7. AHCL collects the range of personal information about its advisors listed in paragraph 5 in the course of working on relevant commissions, or potential commissions.

### **Why and how do we use the personal information we collect?**

8. AHCL will only use the personal information it collects from its advisors when the law allows it to. These are known as the lawful basis for processing. AHCL will use its advisors' personal information in one or more of the following circumstances:

- a) where AHCL needs to do so to perform any contract or agreement it has entered into with the advisor, or in order to take appropriate steps to enter into a contract with the advisor.
- b) where AHCL need to comply with a legal obligation.
- c) where it is necessary for AHCL's legitimate interests (or those of a third party), and the interests or fundamental rights and freedoms of the individual concerned do not override those interests.

9. AHCL requires all of the types of personal information listed under paragraph 5. AHCL is a planning and environmental consultancy. AHCL works on the full range of planning and consenting tasks, from project inception through to project implementation. AHCL also acts in respect of protecting client's interests from other third-party proposals and actions. It is necessary for AHCL to hold personal data of advisors in order to undertake this work correctly and to a high quality, and to promote its services and abilities. In summary, this

constitutes the legitimate interests of the business. AHCL believe that any advisors it comes into contact with have a reasonable expectation that it will process this type of personal information.

### **Change of purpose**

10. AHCL will only use personal information for the purposes for which it has been collected. If AHCL needs to use personal information for a purpose other than that which it was collected, it will update this privacy notice and provide it as necessary.

### **Who has access to personal information?**

11. Advisors personal information may be shared internally within AHCL. Advisors personal information may also be shared with other parties including: our clients, other external companies and technical advisors; external statutory advisors and bodies, external non-statutory bodies and organisations, and members of the public.

12. Personal data will be shared internally within AHCL and other parties for the purposes of or in connection with undertaking commissions or potential commissions on behalf of clients, or for legitimate reasons of developing the business of AHCL.

### **How does AHCL protect advisors personal information?**

13. AHCL has put in place measures to protect the security of advisors personal information. It has internal policies, procedures and controls in place to try and prevent personal information from being accidentally lost or destroyed, altered, disclosed, used or accessed in an unauthorised way. In addition, we limit access to advisors' personal information to those AHCL employees who have a business need to know in order to perform their job duties and responsibilities. Further information about these measures can be obtained, in the first instance, from AHCL's Office Manager.

14. Where advisors' personal information is shared with external bodies, we take appropriate steps to ensure that they hold and process the information in accordance with data protection law.

15. AHCL has in place appropriate procedures to deal with a suspected data security breach and we will notify the Information Commissioner's Office (or any other applicable supervisory authority or regulator) and the appropriate advisor of a suspected breach where we are legally required to do so.

### **How long will AHCL keep advisors' personal information?**

16. AHCL will only retain advisors' personal information for as long as is necessary to fulfil the purposes for which it was collected and processes, including for the purposes of satisfying any legal, professional indemnity, health and safety, reporting, tax or accounting requirements.

17. Having regard to town planning and related law, and other legislation with which AHCL has to comply, advisors' personal information will generally be held for a minimum of ten years from the end of any relationship between AHCL and the advisor.

18. Personal information which is no longer to be retained will be securely and effectively destroyed or removed from our IT systems.

### **Advisors' rights in respect of personal information.**

19. It is important that the personal information we hold about our advisors is accurate and up to date. Advisors are asked to please keep us informed if personal information changes, AHCL cannot be held responsible for any errors in personal information in this regard unless they have been notified of any relevant change.

20. AHCL's advisors have a number of statutory rights in respect of personal information. Subject to certain conditions, and in certain circumstances, AHCL's advisors have the right to:

- request access to personal information - this is usually known as making a data subject access request and it enables advisors to receive a copy of the personal information AHCL holds about them and to check that it is being lawfully processed;

- request rectification of personal information - this enables advisors to have any inaccurate or incomplete personal information AHCL hold corrected;
- request the erasure of personal information - this enables advisors to ask AHCL to delete or remove personal information where there's no compelling reason for its continued processing, e.g., it is no longer necessary in relation to the purpose for which it was originally collected;
- restrict the processing of personal information - this enables advisors to ask AHCL to suspend the processing of personal information, e.g., if advisors contest its accuracy and so want AHCL to verify its accuracy;
- object to the processing of personal information - this enables advisors to ask AHCL to stop processing personal information where AHCL are relying on the legitimate interests of the business as its legal basis for processing and there is something relating to the particular situation which makes the advisors decide to object to processing on this ground, and
- data portability - this gives advisors the right to request the transfer of personal information to another party so that advisors can re-use it across different services for their own purposes.

21. If there are any advisors who wish to exercise any of these rights, please contact AHCL's Office Manager in the first instance. AHCL may need to request specific information from you in order to verify your identity and check the advisor's right to access the personal information or to exercise any of the advisor's other rights. This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

22. If you believe that AHCL has not complied with data protection rights, advisors have the right to make a complaint to the Information Commissioner's Office (ICO) at any time. The ICO is the UK supervisory authority for data protection issues.

## **Transferring personal information outside the European Economic Area**

23. AHCL will not transfer advisors' personal information to countries outside the European Economic Area.

## **Automated decision making**

24. Automated decision making occurs when an electronic system uses personal information to make a decision without human intervention. AHCL will not use automated decision making.

## **Changes to this privacy notice**

25. AHCL reserves the right to update or amend this privacy notice at any time, including where AHCL intends to further process advisors' personal information for a purpose other than that for which the personal information was collected or where we intend to process new types of personal information. AHCL will issue a new privacy notice when it makes significant updates or amendments. AHCL may also notify advisors about the processing of personal information in other ways.

## **Contact**

26. If advisors have any questions about this privacy notice or how AHCL handle personal information, please contact AHCL's Office Manager, whose contact details are provided below:

Adams Hendry Consulting Ltd  
Sheridan House,  
40-43 Jewry Street  
Winchester  
Hampshire  
SO23 8RY

Telephone: 01962 877414

Email: [k.woolgar@adamshendry.co.uk](mailto:k.woolgar@adamshendry.co.uk)