



# GDPR

## Privacy Notice

## **INFORMATION SECURITY AND PRIVACY NOTICE**

At David Rubin & Partners (“DRP”), we are committed to protecting personal data and this Information Security Notice (“Notice”) tells you how we secure and process your data. This Notice has been prepared to comply with legal standards that currently exist in the United Kingdom and will be modified as DRP determines is necessary to satisfy legal requirements.

Both DRP and the individual Insolvency Practitioners at DRP are registered with the Information Commissioner’s Office (“ICO”).

DRP’s staff contracts contain both confidentiality clauses and obligations to comply with Information Security clauses.

### **Personal Data**

‘Personal data’ (as defined by the GDPR) means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

### **Collection of Data**

Personal data is provided to us by the Company upon which we are appointed to act as Insolvency Practitioners, and/or extracted from the Company’s records including Payroll and Personnel files. Data may also be deliberately or incidentally collected during the course of investigations into the Company’s financial affairs and conduct of the directors of the Company.

We also collect personal data as part of our anti-money laundering and conflict checks.

It is important that the personal data we hold about you is accurate and current so that we can keep you up to date with progress reports and when making distributions to stakeholders. Please keep us informed if your personal data changes.

### **Use of personal data**

We process personal information to enable us to carry out our work as Insolvency Practitioners, which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under Insolvency and other related legislation.

Insolvency Practitioners are Data Controllers of personal data in so far as defined by the EU data protection legislation. DRP will act as Data Processor on their instructions about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data will be kept secure and processed only for matters relating to the insolvency procedure being dealt with.

### **The data we may process**

In most cases, the personal data Insolvency Practitioners may process will be basic details that may identify an individual and will typically be sufficient to allow us to carry out our work as Insolvency Practitioners, for example, dealing with the claims of individuals who are owed money by the companies/individuals over whom we have been appointed.

However, Insolvency Practitioners may be appointed over entities that process personal data that is considered more sensitive, for example health records and this sensitive data will usually have been created before our appointment. Although we will take appropriate steps to safeguard sensitive data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify

previous conduct and/or action that requires further investigation, we will not be processing sensitive data.

### **Sharing information**

We do not disclose any information we have on you, but we may share personal data with third parties as follows:

- where we are under a legal or regulatory duty to do so, or it is necessary for the purposes of undertaking our work as Insolvency Practitioners;
- our insurers and professional advisors, for example lawyers and auditors, in connection with services they provide to us;
- in order to enforce any terms and conditions or agreements for services that may apply;
- as part of a sale of some or all of the business and assets of the Company in the insolvency process to any third party but we will take steps with the aim of ensuring that your privacy rights continue to be protected;
- to lawfully assist the police or other law enforcement agencies with the prevention and detection of crime, where disclosure is necessary to protect the safety or security of any persons and/or otherwise as permitted by the law.

### **How long will we hold it?**

Personal data will be retained for as long as any legislative or regulatory requirement requires us to hold it. By default, we retain data for as long as the insolvency procedure is still opened but move to destroy the records once a case is closed but within the timeline permitted by legislation. Typically books and records are destroyed 12 months after the Company has been dissolved, while our working papers have to be kept for 6 years.

## **What are your rights?**

You have the right to receive information about how your personal data may be processed by us.

You also have the right to know that we may be processing your personal data and, in most circumstances, to have information about the personal data of yours that we hold, and you can ask for certain other details such as what purpose we may process your data for and how long we will hold it.

Individuals have the right to request that incorrect or incomplete data is corrected and in certain circumstances, you may request that we erase any personal data on you which may be held or processed as part of our work as Insolvency Practitioners.

## **Contact us**

If you would like to contact us with any enquiry or complaint relating to your personal information or about how we handle your personal data, please contact Henry Lan, our Data Protection Officer via this email address [Henrylan@drpartners.com](mailto:Henrylan@drpartners.com) so that we can resolve the issue, where possible.

If we are unable to resolve any issue you may have or you would like to make further complaint, you have the right to contact the Information Commissioners' Office (ICO), the UK data protection regulator, by visiting <http://www.ico.org.uk> for further assistance.