

Privacy Statement

Introduction

UHY Insolvency is committed to protecting and respecting your privacy. We wish to be transparent on how we process your data and show you that we are accountable with the GDPR in relation to not only processing your data but ensuring you understand your rights as a client.

It is the intention of this privacy statement to explain to you the information practices of UHY Insolvency in relation to the information we collect about you.

For the purposes of the GDPR the data controller is:

- CEO
- UHY Insolvency, Unit 4C, Fingal Bay Business Park, Balbriggan, Co. Dublin
- When we refer to 'we' it is UHY Personal & Corporate Insolvency Solutions Limited

Please read this Statement carefully as this sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us.

Who are we?

UHY Personal and Corporate Insolvency Solutions Limited is one of Ireland's leading insolvency practices, we pride ourselves on providing practical and impartial advice to all our clients. We offer our services to businesses and individuals who are facing operational or financial uncertainty. Whether it is general advice, a formal insolvency arrangement or complex restructuring solutions you require, we have the capabilities, skills and resources to resolve your debt issues.

More information on UHY Insolvency is available on our website : www.uhyinsolvency.ie

Our Data Protection Officer / GDPR Owner and data protection representatives can be contacted directly here:

- info@uhyinsolvency.ie
- 01-8834268

Purpose for processing your data

We will use your personal information to provide our Services to you, and in particular to:

- (a) Prepare and issue your plan;
- (b) Negotiate with your creditors on your behalf; and
- (c) Keep you informed about your plan and our services.

Why we are processing your data? Our legal basis.

In order for us to provide you with Insolvency services, UHY Insolvency need to collect personal data for *insolvency* Our reason (lawful reason) for processing your data under the GDPR is:

- **Legal basis** - UHY Insolvency needs to process your data as this is necessary in relation to a contract of debt management to which the individual has entered into or because the individual has asked for something to be done so they can enter into a contract for debt management.

In any event, UHY Insolvency are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of your privacy.

What Personal information do we collect from you?

We may collect a range of personal information from you, depending on your circumstances and the services you require. You may give us personal data by:

- Corresponding with us by phone, email or otherwise. We ask you to disclose only as much information as is necessary to provide you with our services or to submit a question, suggestion or comment in relation to our services.
- Attending meetings with us. These meetings might include the provision of personal data by you, or the filling in of forms required for us to provide a service to you.

What information about you do we obtain from others?

When you use our services, we may obtain, with your authorisation, the following categories of personal data from others:

- Records relating to your situation, for example, records held by your creditors or financial institutions

The records that we may obtain will vary depending on your circumstances and the third parties involved. In obtaining this information, we may use a variety of processes such as data subject access requests, Freedom of Information requests and a copy of your authorisation for us to access this information.

Why do we collect this information?

We collect the information in order to provide you with our services.

We may use this information:

- To contact you to arrange appointments
- To assess your circumstances and to recommend courses of action
- To engage with third parties in relation to your situation, including public and private organisations

- To assist you in any steps involved in maximising your income
- To keep you informed in relation to your case

The legal basis for the processing of your data are:

- That you have provided consent for the processing for the provision of our services
- Processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us as the controller
- Processing necessary for compliance with a legal obligation to which we are subject

From time to time, we may also collect sensitive or 'special category' data in the provision of our services (Please see our Data Protection Consent form for an exact definition). The legal basis for the processing of your special category data is:

- That you have provided consent for the processing for the provision of our services

How will UHY Insolvency use the personal data it collects about me?

UHY Insolvency will process (collect, store and use) the information you provide in a manner compatible with the EU's General Data Protection Regulation (GDPR). We will endeavour to keep your information accurate and up to date, and not keep it for longer than is necessary.

Are automated decisions made using data?

Sometimes we use automated decision-making tools (i.e. where a person is not involved in the decision). We typically use these tools when making straightforward decisions about you (for example, in calculating pro-rata payments to your creditors).

Sometimes, as part of our business operations, decisions about you are taken using automated computer software and systems. These decisions do not involve human input, and the software and systems apply pre-defined logic programming and criteria to make a decision and assess how we deal with you in connection with the provision of services.

For example, we sometimes use automated decision making as part of a process to determine if you qualify for a particular insolvency arrangement— i.e. a Debt Settlement Arrangement or a Personal Insolvency Arrangement

We provide you with more information in relation to any automated decision processes before or at the time that we intend to make decisions in this way. You have the right in certain circumstances not to be subject to a decision which is based solely on automated processing.

Privacy

How do we keep your data secure?

Information security is extremely important to us. UHY Insolvency uses appropriate technical, physical, legal and organisational measures, which comply with data protection laws to keep personal information secure. If, despite our efforts, you believe that personal information is no longer secure, please tell us so that we can resolve any security issue.

As most of the personal information we hold is stored electronically we have implemented appropriate IT security measures to ensure this personal information is kept secure. For example, we may use anti-virus protection systems, firewalls, and data encryption technologies. We have procedures in place at our premises to keep any hard copy records physically secure. Our team receive regular training on data protection and information security.

When UHY Insolvency engages a third party to collect or otherwise process personal information on our behalf, the third party will be selected carefully and required to use appropriate security measures to protect the confidentiality and security of personal information.

Unfortunately, no data transmission over the Internet or electronic data storage system can be guaranteed to be 100% secure.

Special Categories of personal data

If we collect any special categories of personal data (e.g. health, religious beliefs, racial, ethnic origin – financial information is not classified as special categories of personal data) – we will ensure the below

- we will obtain your explicit consent

Who are we sharing your data with?

We collect personal information about you both directly from you (when you apply for our services) and from your creditors as authorised by you. We may also collect further information as a result of managing your plan.

We will use your personal information to provide our services to you, and in particular to:

- (a) Prepare and issue your plan;
- (b) Negotiate with your creditors on your behalf; and
- (c) Keep you informed about your plan and our services.

We may also use your personal information to contact you to provide you details of other products and services which we think may be of interest to you, including those offered by selected third parties.

We may share personal information with these selected third parties and they may contact you directly to provide you with details of such products and services.

We share your data with our group and related companies, including holding your data on a group database.

You may let us know if you do not want us to use or disclose your personal information to selected third parties or if you wish to amend the way we communicate with you.

You are not obliged to allow us to pass information on to selected third parties, and by not doing so this does not affect the provision of the services or our decision to provide you with the services.

We will disclose your personal information to the extent required by law, court order or as requested by other government or law enforcement authority, or to any company or other entity to whom we either transfer or subcontract any or all of our obligations to you under this Agreement.

You may contact us by writing at any time to the Data Protection Officer at our address for further information, or if you want to request a copy of the personal information which we hold about you or to ask us to amend any inaccurate information held by us.

If you request a copy of the personal information which we hold about you, we will not normally charge a fee unless in exceptional circumstances to cover admin costs if the request will take more than 90 calendar days to respond to and will involve considerable effort and resources.

We routinely record and monitor your calls to us, to help us to improve our service.

We may pass your personal data on to third-party service providers contracted to UHY Insolvency in the course of dealing with you. Any third parties that we may share your data with are obliged to keep your details securely, and to use them only to fulfil the service they provide on your behalf. When they no longer need your data to fulfil this service, they will dispose of the details in line with UHY Insolvency procedures.

If we wish to pass your sensitive personal data onto a third party we will only do so once we have obtained your explicit consent, unless we are legally required to do otherwise.

The third parties that we pass your personal data to are:

- All creditors & financial institutions associated with your plan
- Payment providers
- Shredding companies where our files are securely destroyed by a third party
- Archiving companies where we archive our files in facilities provided by a third party
- Our IT provider
- Our software provider
- The Insolvency Service of Ireland
- MABS

We have issued all our third-party processors with a Data Processor checklist asking them GDPR specific questions.

If we transfer personal data to a third party or outside the EU we as the data controller will ensure the recipient (processor or another controller) has provided the appropriate safeguards and on condition that enforceable data subject rights and effective legal remedies for you the data subject are available.

Data Subjects Rights:

UHY Insolvency facilitate you, our clients, rights in line with our data protection policy and the subject access request procedure. This is available on request.

Your rights as a data subject

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- **Right of access** – you have the right to request a copy of the information that we hold about you.
- **Right of rectification** – you have a right to correct data that we hold about you that is inaccurate or incomplete.
- **Right to be forgotten** – in certain circumstances you can ask for the data we hold about you to be erased from our records.
- **Right to restriction of processing** – where certain conditions apply to have a right to restrict the processing.
- **Right of portability** – you have the right to have the data we hold about you transferred to another organisation.
- **Right to object** – you have the right to object to certain types of processing such as direct marketing.
- **Right to object to automated processing, including profiling** – you also have the right to be subject to the legal effects of automated processing or profiling.
- **Right to judicial review:** in the event that UHY Insolvency refuses your request under rights of access, we will provide you with a reason as to why.

All of the above requests will be forwarded on should there be a third party involved as we have indicated in the processing of your personal data.

Additional information we are providing you with to ensure we are transparent and fair with our processing

Retention of your personal data

Data will not be held for longer than is necessary for the purpose(s) for which they were obtained. UHY Insolvency will process personal data in accordance with our retention schedule. This retention schedule has been governed by our regulatory body The Insolvency Service of Ireland.

Complaints

In the event that you wish to make a complaint about how your personal data is being processed by UHY Insolvency or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and UHY Insolvency's data protection Protection Officer.
Owner

Failure to provide further information

If we are collecting your data for a debt management contract and you cannot provide this data the consequences of this could mean the contract cannot be completed or details are incorrect.

Additional Processing

If we intend to further process your personal data for a purpose other than for which the data was collected, we will provide this information prior to processing this data.

Contact Us

Your privacy is important to us. If you have any comments or questions regarding this statement, please contact us.

Privacy policy statement changes

UHY Insolvency may change this privacy policy from time to time. When such a change is made, we will post a revised version online. Changes will be effective from the point at which they are posted. It is your responsibility to review this privacy policy periodically so you're aware of any changes. By using our services you agree to this privacy policy.

This privacy policy was last reviewed in May 2018