



Privacy Policy

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Produced by the Compliance Unit

V1124



This document is issued by the Compliance Department of:

Clifford Watts Limited

Registered in Wales with no. 8204102 at 11 Coopers Yard, Curran Road, Cardiff CF10 5NB

Authorised and regulated by the Financial Conduct Authority (FRN 680745)

Data Protection Registration Number: Z3441312

Privacy Policy

Data Protection Act 2018 – How we will use your information

Please read the following section carefully, as it explains what personal information we collect about you and how we use this information.

Data protection law in the UK changes on 25 May 2018, with the Data Protection Act 1998 being replaced with the Data Protection Act 2018 ('DPA'). This Privacy Statement explains how we process your information and your rights under both the DPA and UK GDPR.

Clifford Watts Limited will use your information only to contact you to discuss the provision of debt solutions and related services. We also have permissions for claims management services. Where the service you have requested is provided on our behalf by a third party we will notify you of that fact. We will treat all your Personal Information as defined by the DPA and UK GDPR as confidential (although we reserve the right to disclose this information in the circumstances set out below). We will keep it on a secure cloud-based server and we will fully comply with all applicable UK data protection and consumer legislation.

We will not retain your personal information for longer than is necessary for the maintenance of your account, or for legal or regulatory requirements. Where you provide the name(s) or other personal information about family/household members you confirm that you have their consent to do so for the purposes set out in our Privacy Policy.

Any information we collect, and hold is used to help us improve the quality of our service, including electronic call recordings, scanned documents and secure messages between you and us.

We confirm that any Personal Information that we collect about you, from which we can identify you, is held in accordance with the requirements of the DPA and UK GDPR. We use your information only for the following purposes:

- Provision of regulated debt management services
- Provision of claims management services
- Provision of financial services and advice
- Debt administration and factoring
- Undertaking Know Your Client (KYC) and Anti-Money Laundering checks, where required
- To administer our websites
- Accounts and records
- For the prevention and detection of crime and the prosecution of offenders
- Advertising, Marketing and Public Relations on our own behalf or on behalf of third parties (subject to your consent)

Unless required to do so by law, regulation or contract, we will only collect, use and share information from and about you if we have agreed this with you first. We may discuss data sharing with not-for-profit providers like the Vulnerability Registration Service (VRS), where this is in your best interests.

When we contact you and collect Personal Information from you, you will be given the option to receive information from Clifford Watts, or its business partners by post, e-mail, SMS, WhatsApp or telephone, about products, promotions or special offers which we feel may be in your best interests. In the event that you do not wish to be contacted for such purposes, you will be given the opportunity

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to opt out of receiving information about such products, promotions or special offers from us or our trusted business partners.

We will not release your Personal Information or that of any family/household members to any company outside of Clifford Watts for mailing or marketing purposes without your or their consent. You may unsubscribe from our mail, e-mail, telephone or SMS contact list at any time by replying to a promotional e-mail or SMS message with the word "STOP" in the subject line; by e-mailing us at privacy@cliffordwatts.com or telephoning on 0161 826 5994, Monday – Friday 9am to 6pm.

Your Personal Information may be disclosed to other businesses within the Clifford Watts group and to reputable third parties who will help process any account you may have with us. Clifford Watts requires all such third parties to treat your personal information as fully confidential and to fully comply with all applicable UK data protection and consumer legislation from time to time in place.

You should be aware that if we are requested by the police or any other regulatory or government authority investigating suspected illegal activities to provide your Personal Information and/or User Information, we may be legally required to do so.

We use Cookies to personalise your experience and so that you may retrieve your details at any time – if you do not accept Cookies you may be unable to use these facilities on our website. See "About cookies" for further details.

Any changes to this policy will be posted on our website or notified to you in writing.

When we share your information

We will treat your personal information as private and confidential, but may share it with others and disclose it outside of Clifford Watts if:

- allowed by the debt management agreement
- you explicitly consent
- HM Revenue & Customs or other authorities require it
- the law, regulatory bodies (including for research purposes), or the public interest permits or requires it;
- required by us or others to investigate or prevent crime
- required as part of our duty to protect your accounts, for example we are required to disclose your information to the UK Financial Services Compensation Scheme (FSCS)

The DPA and UK GDPR defines certain information as 'special category' or 'sensitive' (racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, sexual life, criminal proceedings and offences). We may ask you for some 'sensitive' details where you meet our **Vulnerable Customer Policy**. We will only use this information to provide the service you require and we will ask for your explicit consent. As a customer, there may be times when you give us sensitive information.

We will always ensure your information remains safe and secure.

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The following personal data is collected, held, and processed by Clifford Watts for the purposes of delivering its core services as a regulated Insolvency practice:

Type of Data	Purpose of Data
Personal details	For example, name and date of birth. To include previous names (e.g. maiden name or name before a Deed Poll change)
Identity information	For example, a copy of a driver's licence or passport
Addresses	Current and previous, where this relates to credit agreements in the DMP
Contact information	For example; phone, mobile, email. Preferred time to contact and contact method preference
Financial information	Creditor information, including copies of agreements, statement and correspondence. Need to have accurate account numbers. Used to negotiate with creditors and to determine secure and unsecured creditors. This may be supplemented by credit report information to validate balances and the client's ability to re-finance as a debt remedy or be eligible for a formal debt solution
Employment/income information	Including payslips and other income information in scanned format. Sometimes used to determine eligibility/suitability for some formal debt solutions. Basis of employment may be important (e.g. Fixed term contract, zero hour). This may include benefits
Website usage	Aligned to Cookie Policy
Expenditure information	Non-sensitive data to build the expenditure aspect of a financial statement. This may include medical, transportation and other costs that may relate to an individual in a vulnerable situation
Asset information	Details about assets or capital that may influence the debt remedy or creditor negotiation outcomes. This may involve public record searches of Zoopla or Land Registry. Valuation of assets may be applicable for some formal debt solutions
Sensitive data	Information about physical/mental health, trade union membership (if membership costs apply)
Household composition	Ages of children to determine budget figures. Number of adults and vehicles to determine budget figures/allowances
Payment information	Bank account details for collecting payments into DMP by a range of payment methods

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Individual Voluntary Arrangements

Special Category data

In some situations we may need to collect special category information; however we will not do this without first obtaining your consent at the time. We will only need this information, where it is necessary and in relation to the running of your IVA.

Credit Check Information

We may ask for your permission to do a credit check. This check will help us understand your financial situation and your creditors.

If anything changes in your situation during your IVA, it is important to let us know as soon as possible.

The information above explains how we use your personal data when you start an IVA with us.

Sharing Your Data in an IVA

We need to share some of your information with other people involved in your IVA. These include:

- **Your Creditors and Their Representatives:**
This means creditors, debt collectors, bailiffs, and solicitors. We need to share your information with them so we can provide our service and meet legal requirements.
- **The Insolvency Service:**
If your IVA is accepted, your details will be added to the IVA Register. This is public information and includes your name, gender, date of birth, and address. We must share this information by law, and it is also shared with credit reference agencies.
- **Our Regulators:**
Sometimes we may need to share your information with our regulators, like the Insolvency Practitioners Association (IPA) or the Information Commissioner's Office (ICO). This is to make sure we are meeting the rules and standards of our service.
- **Solicitors:**
We may need to work with solicitors to help manage your IVA or to meet legal requirements.

IT and software providers

We rely on third-party software to manage the solutions we offer and store the information we hold. These providers include:

- **Vaycron:** Our external IT service management company.
- **Aryza advise:** A customer relationship management system used when you first contact us seeking advice for your debts.
- **Aryza Insolv:** A case management system for our Individual Voluntary Arrangements.
- **Aryza Messenger:** Secure Document Upload Portal.
- **Therefore:** A secure document management system for storing files and documentation.
- **TransUnion Information Group Limited and Equifax Limited:** For credit searches.

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- **LexisNexis:** For identification checks.
- **Communication providers:** We utilise platforms such as BlueTelecoms, Vonage, AWS SES, WhatsApp and Aryza Messenger to communicate with you.
- **Website and hosting and mail companies:** Ionos and Harmony Studios are used to operate and maintain our website and emails.
- **Signable:** We use these platforms to process contracts and paperwork for Individual Voluntary Arrangements that require your electronic signature.

These external companies assist us in delivering and maintaining an efficient service for you. We have established contracts with these providers to ensure their compliance with their own data protection obligations and implementation of appropriate security measures.

Please note that the above information outlines the external parties with whom we may share your data in the context of an IVA.

Other external parties

We may also share your personal information where we have your consent to do so, or where we are required to do so under a legal or regulatory obligation, for example where we are required to do so by a court order, the police, local authorities or the courts. We might share some of your information with the emergency services if you are in any immediate danger.

How long we hold data

If you decide not to continue with an IVA, we will delete your personal information after 12 months unless we agree on something different. You have the right to ask us to view, change, or delete your information sooner if you want. You can do this by emailing or writing to us.

If you enter into an IVA, we will keep your information on file so we can provide our service to you and meet our legal requirements. We will keep your information for 10 years after your IVA is completed or ends. We cannot delete this information sooner, as we must keep it by law. After 10 years, we will either delete your information or keep it in a way that it cannot be linked back to you.

Special category information

Some personal information is called "special category data." This includes details about your health, sexuality, religion, race, political opinions, trade union membership, or biometric data (like fingerprints). We might need this information to understand your financial situation or to provide you with better service. For example, if you were ill and couldn't keep up with payments, this information could be helpful.

If we need to collect this type of information, we will ask for your clear permission. We, or anyone else mentioned in this policy, will only use it as described here. Sometimes, we may have to use this information without your permission if required by law.

We may also use information about criminal convictions if allowed by law

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Information about other people

If you share someone else's information, like a partner or carer, you need their permission first. If you and another person apply for a joint solution, like a shared IVA, your information will be shared with each other. We will use their information as described in this policy.

Your rights under Data Protection Law

We operate under the Data Protection Act 2018 ('DPA') and UK GDPR.

The DPA and UK GDPR apply to 'personal data' that we process and the data protection principles set out the main responsibilities we are responsible for.

You have a right to receive a copy of the personal data that we hold about you.

To obtain a copy of the personal information we hold on you, please write to us at the address below or ring us on **0161 826 5994** (Monday – Friday 9am to 6pm) and provide us with your details or ask for a Data Subject Access Request (DSAR) form.

Questions regarding this Policy should be directed to:

Data Protection Officer

Clifford Watts Limited

11 Coopers Yard, Curran Road, Cardiff, CF10 5NB

We must ensure that personal data shall be:

- a) processed lawfully, fairly and in a transparent manner;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and where necessary kept up to date;
- e) kept for no longer than is necessary for the purposes for which the personal data are processed. We operate a data retention policy that ensures we meet this obligation. We only retain personal data for the purposes for which it was collected and for a reasonable period thereafter where there is a legitimate business need or legal obligation to do so. For detail of our current retention policy contact our Data Protection Officer at privacy@cliffordwatts.com
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

We ensure lawful processing of personal data by obtaining consent; or where there is a contractual obligation to do so in providing appropriate products and services; or where processing the data is necessary for the purposes of our legitimate interests in providing appropriate products and services.

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In the majority of cases we process personal data based on your contract (i.e. Debt management agreement) with the us. In other cases, we process personal data only where there are legitimate grounds for so doing.

To meet its Data Protection obligations, we have established comprehensive and proportionate governance measures.

We have our own Data Protection Officer to oversee data protection compliance across Clifford Watts through:

- a) implementing appropriate technical and organisational measures including internal data protection policies, staff training, internal audits of processing activities and reviews of internal HR policies.
- b) maintaining relevant documentation on processing activities.
- c) implementing measures that meet the principles of data protection by design and data protection by default including data minimisation, pseudonymisation, transparency, deploying the most up-to-date data security protocols and using data protection impact assessments across our organisation and in any third party arrangements.

You have the following specific rights in respect of the personal data we process:

1. The right to be informed about how we use personal data.

This Privacy Statement explains who we are; the purposes for which we process personal data and our legitimate interests in so doing; the categories of data we process; third party disclosures; and details of any transfers of personal data outside the UK.

2. The [right of access](#) to the personal data we hold. In most cases this will be free of charge and must be provided within one month of receipt.
3. The right to rectification where data are inaccurate or incomplete. In such cases we shall make any amendments or additions within one month of your request.
4. The right to erasure of personal data, but only in very specific circumstances, typically where the personal data are no longer necessary in relation to the purpose for which it was originally collected or processed; or, in certain cases where we have relied on consent to process the data, when that consent is withdrawn and there is no other legitimate reason for continuing to process that data; or when the individual objects to the processing and there is no overriding legitimate interest for continuing the processing.
5. The right to restrict processing, for example while we are reviewing the accuracy or completeness of data, or deciding on whether any request for erasure is valid. In such cases we shall continue to store the data, but not further process it until such time as we have resolved the issue.
6. The right to data portability which, subject to a number of qualifying conditions, allows individuals to obtain and reuse their personal data for their own purposes across different services.
7. The right to object in cases where processing is based on legitimate interests, where Our requirement to process the data is overridden by the rights of the individual concerned; or for the purposes of direct marketing (including profiling); or for processing for purposes of

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scientific / historical research and statistics, unless this is for necessary for the performance of a public interest task.

8. Rights in relation to automated decision making and profiling.

Please contact our Data Protection Officer at privacy@cliffordwatts.com for more information about the GDPR and your rights under Data Protection law.

If you have a complaint about any data protection matter then contact our Data Protection Officer at complaints@cliffordwatts.com in the first instance.

Alternatively contact our supervisory authority for data protection compliance (www.ico.org.uk):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

<https://ico.org.uk/for-the-public/how-to-make-a-data-protection-complaint/>