

# Data Protection Statement

## The purpose of this Data Protection Statement

The purpose of our Data Protection Statement is to set out Costs Management's public position regarding the way in which we handle the personal data that is received by the company. It builds upon any Privacy Notice that may have issued previously in that it explains, in outline, Costs Management's processes for data handling, retention and destruction across all areas of the business.

## Costs Management's commitment

Costs Management is committed to processing all personal data it processes in a responsible and secure way in accordance with EU & UK data protection laws. To do this we implement appropriate technical and organisational measures to ensure a level of security commensurate with the risks. In addition, we ensure our staff understand their roles and responsibilities when handling your personal data.

## Costs Management as a data controller and as a data processor

Costs Management may be either the data controller when we determine the purpose for which your data is collected or a data processor to you or your organisation, depending on the specific nature of the relationship. In all cases, once we have received your personal data it becomes the responsibility of the Privacy Manager to ensure that Costs Management processes it lawfully and with the appropriate level of security.

The Privacy Manager can be contacted at:

Costs Management  
117 - 123 King Street,  
Knutsford, WA16 6EH  
info@costsmanagement.com

## Why we collect your personal data and how we justify it in law

Costs Management will need to collect personal data for a variety of reasons dependent on the nature of the business relationship. In all instances, we will process your personal data using one of the various lawful conditions as follows:

- Using your consent, given prior to any processing;
- To comply with our contractual and/or legal obligations;
- When acting in your vital interests;
- When processing is necessary for tasks in the public interest; or
- For the purposes of our legitimate interests, where we assess that this action does not override your rights and freedoms as they affect the use of your personal data.

The reason we collect your personal data and against which lawful condition, will be set out in an appropriate Privacy Notice and/or in this Data Protection Statement. Naturally it will differ depending on the nature of the business you have with Costs Management. In all cases, however, we will respect our legal obligations that any personal data we collect shall be:

- Processed fairly, lawfully and transparently;

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- Collected for a specified, explicit and legitimate purposes;
- Adequate, relevant and limited to what is necessary (and no more);
- Accurate and, where necessary kept up to date;
- Kept for no longer than is necessary; and
- Processed in a manner that ensures appropriate security.

### **Where the personal data is processed and stored**

The majority of processing takes place in the Costs Management office using standard, up to date IT equipment. Hard copies of case files are only made when necessary and these are stored on-site for active cases in offices that are locked overnight or in secure off-site archive facilities at the conclusion of the matter. Active files are taken out of the Costs Management office but only when absolutely necessary and only for the purposes of administering cases. These are returned at the earliest possible opportunity.

Our partners and staff use mobile phones and laptops to access the Costs Management IT system remotely to enable us to offer a more connected service to our clients. These are used in accordance with internal security procedures, which include the use of privacy screens when mobile devices are being used in public spaces and whilst travelling and at court.

Where it is necessary to expedite work, we will use the services of trusted third-parties with whom we have a confidentiality agreement. Typically, these are routine administrative services including bulk photocopying and overflow typing.

Telephone calls to the Costs Management office are handled by a trusted, professional third party phone answering service. An operator will only use the details of a caller for the purposes of directing the call or a message to the appropriate Costs Management staff member.

### **With Whom we share your information**

Due to the nature of our work Costs Management will, in most cases, need to share your personal details with some or all of the following agencies:

- HMRC for all financial transactions
- Costs Management bookkeeper for accounts management
- Costs Management accountants for regulatory auditing
- Serious and Organised Crime Agency
- Legal professionals such as barristers appointed by us to act on your behalf
- Courts, regulators and other parties directly engaged in a regulatory investigation or prosecution
- Office support service companies for administrative purposes only
- Other undefined agencies but only when we have to act in your vital interests
- Experts or consultants engaged by us on your behalf

### **Seeking your consent**

We will only ask you for your consent to use your personal data when we want to share information with you for other services, such as a newsletter, that are not pertinent to any legal and/or training matter. You are reminded that you can withdraw your consent for such a service at any time by contacting the Privacy Manager. We do not assume your consent is for life, therefore we will check with you on a regular basis, normally every two years, to make

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sure you still want to provide consent for the purpose we have previously specified.

### **Change of purpose of processing**

From the outset, we state the purpose for which we collect your personal data. If this purpose is changed, we will contact you with the relevant information and take further appropriate action if required. If the basis of processing has relied on your consent, we will not act upon any change of purpose until we have re-established your consent against the new purpose. If you choose not to respond, then we take it that you have not given it to us.

### **How long we keep your personal data for after your involvement in Costs Management has ended**

Regardless of your relationship with Costs Management, once we have no lawful reason to process your personal data, we will either delete it or destroy it in accordance with the schedule set out in your Privacy Notice. Typically, this will be:

- For invoice transactions and payments and payroll, to comply with HMRC regulations, this will be for 6 years at the end of the current tax year;
- For case files and papers, including those belonging to you, this will be 6 years after the case is closed or becomes inactive;
- For information relating to delegates undergoing Costs Management training, this will be 3 months after the certificate is issued; and
- For information relating to participants and respondents involved in Costs Management's stress testing programmes, this will be 12 months after the programme ends.

If we have custody of original documents belonging to you, they will be returned to you at the end of the matter (unless their return is requested sooner).

### **Use of the Costs Management website**

The Costs Management website does not use cookies or store any information of visitors to the website, nor does it attempt to gain the identity of visitors to the website.

### **Information about your rights**

The GDPR puts much greater emphasis on transparency of processing and accountability by all parties involved in handling your personal data. It also extends the rights of individuals in respect of their personal data. It should be noted that these are qualified in so much that they do not necessarily apply in all situations. For ease of visibility, the rights are listed directly below

- Right to be informed;
- Right to access;
- Right to rectification;
- Right to erasure ('right to be forgotten');
- Right to restrict processing;
- Right to data portability;
- Right to object to processing; and
- Rights related to automated decision making and profiling.

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### **What you need to do if you want to exercise your rights or have a concern**

If you wish to exercise your rights or you have concerns regarding the handling of your personal data, we ask that you contact the Privacy Manager in the first instance.

Please note that we will respond in the first instance to confirm the nature of the enquiry and provide a schedule for a full response as required. If you are making a data subject access request, we may ask you for supporting documentation so that we can verify your identity before providing any information.

If you prefer not to contact us, you may take your concern or complaint directly to the ICO. For more information please visit the ICO website using <https://ico.org.uk>.