

## S G CONSULTANCY SOLUTIONS LIMITED - PRIVACY NOTICE

### INTRODUCTION AND DEFINITIONS

S G Consultancy Solutions Limited (trading as SG Consultancy Services) ("**we**", "**our**" and "**us**") is committed to protecting and respecting your privacy.

This notice sets out the basis on which any personal data, which we collect about you, that you provide to us or that we have receive from a third party source, will be processed by us.

If you have questions about correcting or deleting your personal data please refer to sections 3 and 8 below.

References in this notice to "**data protection law**" mean (as applicable) the Data Protection Act 1998, the General Data Protection Regulation (Regulation (EU) 2016/679) and all related data protection legislation having effect in the United Kingdom from time to time.

References in this notice to "**data**" or "**information**" include "**sensitive personal data**" and "**special categories of data**" (as defined under data protection law) where applicable.

#### 1 OUR DETAILS

The data controller with conduct of your personal information is S G Consultancy Solutions Limited (trading as SG Consultancy Services) of 3 Acorn Business Centre Northarbour Road, Cosham, Portsmouth, Hampshire, PO6 3TH.

#### 2 HOW WE USE YOUR INFORMATION

2.1 The following sections explain what information we hold about you, why we process that information, the legal basis for the processing, the duration for which we keep your information and (if applicable) who your information will be shared with and where those recipients are based.

##### What information do we process and for what purpose?

2.2 We process the following information about you:

2.2.1 **Information you give us.** This is information about you that you give to us by filling in forms on our website, speaking to our representatives over the phone or in person or by emailing, faxing or writing to us.

Usually this will be because you are a contact for a client (or potential client) of ours (which is typically a firm of solicitors or an insurance provider) or a contact for a supplier/contractor (or potential supplier/contractor) of ours. This includes where you are a partner or sole trader in a business which we work with.

The information you give us may include your name, address, email address, job title and phone number.

2.2.2 We process information you give to us for the following purposes:

2.2.2.1 in the case of customer contacts, to supply our customer (who you represent) with the goods or services it has purchased or requested from us. This includes where we are instructed to take pre-contractual steps, such as providing a fee quote, and we keep a record of that quote on our systems;

2.2.2.2 in the case of customer contacts, to manage our customer's account with us;

2.2.2.3 in the case of customer contacts, to notify you about changes to our product and service offerings;

- 2.2.2.4 in the case of supplier/contractor contacts, to instruct the supplier/contractor to provide the goods/services we have requested, including taking pre-contractual steps such as requesting a fee quote and keeping a record of that quote on our systems;
  - 2.2.2.5 in the case of supplier/contractor contacts, to manage our account with our supplier/contractor; and
  - 2.2.2.6 in all cases, to keep up to date business and accounting records, as well as records of any dispute or potential dispute to which we are a party.
- 2.2.3 **Information we collect about you.** Like most other website operators, we collect non-personally identifying information of the sort that web browsers and servers typically make available. This includes technical information, such as your IP address and your login information and information about your visit, such as records of how you navigate the pages on our site and how you interact with the pages.
- 2.2.4 We process information we collect about you in order to improve our services, to ensure that content from our website is presented in the most effective manner for you and for your device and to facilitate the operation of our online client portal, S G Online. Please refer to section 4 below for more information on how we use cookies.
- 2.2.5 We may also collect information about you if you are a named party in a court report which has been published publicly. The presence of your information in these reports is incidental; we process court decisions as part of the research and benchmarking activities we carry out in order to provide our services.
- 2.2.6 **Information obtained from or provided by third parties.** Due to the nature of our business, we receive and process personal information about hirers who are party to motor vehicle insurance claims. The hirer's information is provided to us by our client (usually a firm of solicitors or insurance company).

The hirer's information includes their name, address, date of birth, details of previous motor accidents and information relating to the vehicle they have hired (including vehicle type, where they hired it from, the duration of the hire and amount paid). Sometimes we may also receive similar information regarding an additional driver of the hire vehicle (and for the purposes of this Privacy Notice, any additional driver is treated in the same way as the hirer, where relevant). We also receive a copy of the hirer's driving licence, which includes their photograph. If our client provides us with personal information relating to a hirer and that information is not needed for us to supply our products or services (i.e. because it does not fall within one of the categories of information set out above) then we confidentially destroy that information without further processing.

Sometimes we may also receive information about you, being a contact for a client or supplier/contractor of ours (or a potential client, supplier/contractor), from a third party. This could be where your information is provided to us by a colleague of yours or an intermediary. This information falls into the same categories of information set out in section 2.2.1 above and is processed for the reasons set out in section 2.2.2 above.

- 2.2.7 We process hirer information we obtain from or are provided by third parties for the following purposes:
- 2.2.7.1 to provide the products and services we supply to our clients, such as producing Basic Hire Rate Evidence Reports. This includes us taking pre-contractual steps such as providing a fee quote based on the information received. The nature of the documentation we produce, including in particular witness statements, require us to consider, reproduce and reference the hirer's personal information;

- 2.2.7.2 to keep a record of the evidence we have produced for our administrative and legal purposes;
- 2.2.7.3 to keep a record of hirers in relation to whom we have been instructed. These records contain the hirer's name and address only and are used for cross-referencing purposes to identify patterns of fraudulent behaviour. We operate a strict data retention policy for this information so that it is not kept longer than reasonably necessary. Further details are set out in sections 2.4 and 2.5 below;
- 2.2.7.4 to administer any dispute or potential dispute arising out of the products or services we have provided; and
- 2.2.7.5 to comply with our legal and regulatory obligations, including in particular any instructions of the Court relating to evidence we have adduced.

### **What are the grounds for processing your information?**

2.3 We are processing your data on the following grounds under data protection law:

- 2.3.1 for all information we hold, in certain circumstances the processing is necessary for us to comply with our legal obligations, including compliance with the instructions of the Courts;
- 2.3.2 for information we hold on client and supplier/contractor contacts, the processing is necessary for the performance of the contract between us and our client, supplier or contractor. This includes where we are instructed to take pre-contractual steps. Where you are an employee or representative for our client or supplier/contract then our processing is carried out on the basis that we have a legitimate interest in using your personal information in order to administer the relationship between us and your employer/principal. In accordance with data protection law, we have carefully weighed your interests and fundamental rights and freedoms against our interest in carrying out this processing and are satisfied that we are justified in processing your information in this manner;
- 2.3.3 for information we hold on client and supplier/contractor contacts, because we have a legitimate interest in keeping reasonable administrative records of all instructions, communications and price quotes given and received in the course of our business. In accordance with data protection law, we have carefully weighed your interests and fundamental rights and freedoms against our interest in keeping reasonable administrative records. We are therefore satisfied that we are justified in processing your information in accordance with our internal privacy standards;
- 2.3.4 for information we hold on hirers, the processing is necessary for the performance of the contract of insurance between the hirer and their insurer;
- 2.3.5 for information we hold on hirers, because we have a legitimate interest in processing such information for the purpose of providing our products and services, including in particular our Evidence Reports. In accordance with data protection law, we have carefully weighed the hirer's interests and fundamental rights and freedoms against our interest in supplying our products and services and we are satisfied that we are justified in processing the hirers' information in this strictly controlled manner; and
- 2.3.6 for information we hold on hirers, because we also have a legitimate interest in maintaining such information on our database for the purpose of identifying potentially fraudulent behaviour for the protection of our and our clients' interests. In accordance with data protection law, we have carefully weighed the hirer's interests and fundamental rights and freedoms against our and our clients' interest in preventing fraudulent claims. We are satisfied that we are justified in processing the hirers' information on this basis in accordance with our strict security measures and data retention policy.

## **Duration and further processing**

- 2.4 We only keep your information for so long as it is reasonably necessary. When setting our data retention periods, we consider the amount, nature, and sensitivity of the information we hold, the potential risk of harm from unauthorised use or disclosure of the information and the purposes for which we process the information (including whether we can achieve those purposes by other means). We also take into account our other legal obligations to keep or securely dispose of personal information.
- 2.5 Generally speaking, we retain your information for the following periods of time:
- 2.5.1 for hirer information, 12 years from the date we are instructed on their matter;
  - 2.5.2 for client information (including contacts for our clients), 12 years from the end of our instruction; and
  - 2.5.3 for supplier and contractor information (including contacts for suppliers and contractors), 6 years from the financial year end, and 6 years from the date of termination of our contract or from the date of our most recent communication if a contract was not ultimately entered into.
- 2.6 If we need to keep your information for a longer period then we will notify you of the reason and grounds for doing so. This may be the case where, for example, a dispute or potential for a dispute arises between us or otherwise in respect to a report we have produced. We will regularly review the duration of these longer periods of retention.

## **Who is your information shared with?**

- 2.7 Your personal information is not shared with anyone except where we are required to do so to comply with the law, to protect our rights, to provide our products and services or for reasons of business efficacy. We do not share your information with any third parties for marketing purposes.
- 2.8 We share your data with the following people or group of people:
- 2.8.1 in certain circumstances, the Courts. This will typically be limited to hirers' personal information and contact information for our clients;
  - 2.8.2 our outsourced IT service provider, Medhurst Communications Limited of C/O Wilkins Kennedy LLP, Templars House, Lulworth Close, Chandlers Ford, Hampshire, SO53 3TL. Medhurst is subject to strict contractual obligations to keep your personal information secure and confidential;
  - 2.8.3 only to the extent permissible under data protection law, potential purchasers of our business, subject to those persons entering into strict confidentiality obligations with us; and
  - 2.8.4 our professional advisers, including lawyers and accountants.
- 2.9 To the best of our knowledge, understanding and belief, your information will not be transferred outside of the European Economic Area. If this changes then we will let you know.

## **Automated decision making**

- 2.10 We do not make automated decisions about you based on your information. Should this change in the future then we will let you know.

## **3 YOUR RIGHTS**

- 3.1 Under data protection law you have the following rights:
- 3.1.1 the right to be informed as to what we do with your information. This includes but is not limited to the right to know what information we gather, process and store, what we do with it, who we share it with and how long we keep it for. That information is set out in this privacy notice;

- 3.1.2 if we are processing your data on the basis of your consent then you have the right to withdraw that consent at any time. For the avoidance of doubt, we do not currently process your information on the ground of consent;
  - 3.1.3 the right to access a copy of your information which we hold. This is called a 'subject access request'. Additional details on how to exercise this right are set out in section 5, below;
  - 3.1.4 the right to prevent us processing your information for direct marketing purposes. We will usually inform you (before collecting your data) if we intend to use your data for such purposes or if we intend to disclose your information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data and by clicking unsubscribe links in email marketing communications we have sent you. You can also exercise the right at any time by contacting us using the details set out in section 8, below;
  - 3.1.5 the right to object to decisions being made about you by automated means. Your information is not currently subject to automated decision making but if this changes in the future then we will let you know;
  - 3.1.6 the right to object to us processing your personal information in certain other situations;
  - 3.1.7 the right, in certain circumstances, to have your information rectified (if it is inaccurate), erased or to restrict processing of it;
  - 3.1.8 the right, in certain circumstances, to claim compensation for damages caused by us breaching data protection law; and
  - 3.1.9 in certain circumstances, the right to request the information we hold on you in a machine readable format so that you can transfer it to other services. This right is called 'data portability'. Additional details on how to exercise this right are set out in section 5, below.
- 3.2 You also have the general right to complain to us (in the first instance) and to the Information Commissioner's Office (if you are not satisfied by our response) if you have any concerns about how we hold and process your information. Our contact details are set out in section 8, below. The Information Commissioner's Office website is [www.ico.org.uk](http://www.ico.org.uk).
- 3.3 For further information on your rights under data protection law and how to exercise them, you can contact Citizens Advice Bureau ([www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)) or the Information Commissioner's Office ([www.ico.org.uk](http://www.ico.org.uk)).

## 4 **COOKIES**

- 4.1 Our site uses cookies to distinguish you from other users of our site. This helps us to provide you with a good experience when you browse our site and also allows us to improve our site.
- 4.2 Visitors to our site who do not wish to have cookies placed on their computers should set their browsers to refuse cookies before using our site. This will mean that some features of our site and S G Online service may not function properly without the aid of cookies.

## 5 **ACCESS TO INFORMATION**

- 5.1 Under data protection law you can exercise your right of access by making a written request to receive copies of some of the information we hold on you. You must send us proof of your identity, or proof of authority if making the request on behalf of someone else, before we can supply the information to you. Requests should be sent to [emma.belcher-banes@sgcser.co.uk](mailto:emma.belcher-banes@sgcser.co.uk) or FAO Emma Belcher-Banes, SG Consultancy Services, G2 Fareham Heights, Standard Way, Fareham, Hampshire, PO16 8XT.
- 5.2 You do not have to pay a fee to exercise this right unless you are requesting copies of documents you already possess, in which case we may charge our reasonable administrative costs. We may also charge you for our reasonable administrative costs in collating and

providing you with details of the requested information which we hold about you if your request is clearly unfounded or excessive. In very limited circumstances, we are also entitled to refuse to comply with your request if it is particularly onerous.

5.3 In certain circumstances, you are entitled to receive the information in a structured, commonly used and machine readable form.

## 6 **DATA SECURITY**

We will always store your digital information on secure servers. Unfortunately, however, the transmission of information via the internet is not completely secure. Although we will do our best to protect your information, we cannot guarantee the security of your information transmitted to our site or otherwise to our servers (such as by email). Any such transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

## 7 **CHANGES TO OUR PRIVACY NOTICE**

This notice was last updated on 18 May 2018. Any material changes we may make to our privacy notice in the future will be uploaded to our website and notified to you by email. Please check back frequently to see any updates or changes to our privacy notice.

## 8 **CONTACT**

Questions, comments and requests regarding this notice are welcomed and should be sent to *emma.belcher-banes@sgcser.co.uk* or by post to FAO Emma Belcher-Banes, SG Consultancy Services, G2 Fareham Heights, Standard Way, Fareham, Hampshire, PO16 8XT.