

## **PRIVACY POLICY AND GDPR**

### **INTRODUCTION & TERMS**

A Privacy Statement is a document explaining to you, if you are an individual, how your personal data will be used by us and what your rights are.

Live Recoveries Limited & Live Recoveries NE Limited (“Live Recoveries”) and Martin Paul Halligan (when acting as officeholder under insolvency legislation) are committed to protecting and respecting your personal data and privacy. This privacy policy relates to our use of any personal data we collect from you from any of our services or when Mr Halligan is acting in person. Whenever you provide such information, we are legally obligated to use this information in line with the Data Protection Act 1998, The General Data Protection Regulations 2016 and other subsequent laws (“DP Laws”).

Please read the following carefully to understand our practices regarding your personal data.

### **CONTACT**

Any Company or Individual for whom we act is a Data Controller in their own right. When Live Recoveries is instructed to perform services under a contract which requires it to process personal data, it is also a data controller. Due to the nature of our work, a licensed insolvency practitioner who is an officeholder under insolvency legislation can also be considered a data controller in their own right in respect of the cases over which they are appointed as they are required to process personal data by statute. In accordance with this, both Live Recoveries and the relevant insolvency practitioners employed by it, are registered with the Information Commissioner’s Office. Further information about this or our privacy policy can be requested by contacting:-

Jonny Jowett, Live Recoveries, Wentworth House, 122 New Road Side, Horsforth, Leeds, LS18 4QB

Email: [jonny.jowett@liverecoveries.com](mailto:jonny.jowett@liverecoveries.com)

Telephone: 0113 258 5290 – Ask for the Privacy Officer

### **PERSONAL DATA**

Personal data means any information about an individual from which that person can be identified.

We may collect, use, store and transfer different kinds of personal data about you as follows:

- Identity Data – the information we use to identify you, which may include data contained in photographs.
- Contact Data – the information we use to contact you.
- Financial Data – details of your income and expenditure, assets and liabilities and ancillary data such as your bank account details
- Transaction Data - includes details about payments to and from you
- Communications Data - your communication preferences, for example any opt out exercised by you under Insolvency legislation.

We may collect some ‘special category’ personal data from you including (but not restricted to) details of your health, or whether you are a member of a Trade Union, where this is necessary to meet our legal or regulatory obligations. We may also collect information about criminal convictions and offences and whether you have been previously involved in any personal or corporate insolvency proceedings.

### **HOW WE COLLECT PERSONAL DATA**

The personal data we initially used to contact you was provided by the Company or Individual on whose instructions the Company is acting or in relation to which Mr Halligan has been appointed as Officeholder. Your personal data may also be collected from the following sources:

- Records that our client or the insolvent Company or individual already holds about you.
- Questionnaires and Forms completed and submitted by you, for example to the Redundancy Payments Service or to us.
- Correspondence and other communications or meetings between you and the Firm, including via our website or on social media
- Information provided to the Firm by third parties in relation to an appointment, for example your bank, your professional advisers or the Insolvency Service.
- Information held in the public domain (for example, at Companies House and the Land Registry).

Other data controllers (including clients) may also provide your personal data to us.

## HOW WE USE PERSONAL DATA

Most processing is carried out to comply with the Officeholder's legal and regulatory obligations or to enable Live Recoveries to provide a service in accordance with its contractual terms. Personal data will be used to verify identity (where this is required), for communications, to maintain records and process transactions. It may also be used to facilitate the performance of investigations (including the prevention of fraud), the realisation of assets and the agreement and settlement of financial claims. Your personal data may therefore be used for more than one purpose.

## DISCLOSURE OF YOUR PERSONAL DATA

Mr Halligan and Live Recoveries have a legal obligation, in certain circumstances, to disclose personal data to:

- Mr Halligan's regulatory body, the Insolvency Practitioners' Association and its subcontractors.
- The Secretary of State (including, but not restricted to, the Official Receiver).

Mr Halligan and Live Recoveries may also be under an obligation to provide your personal data to other third parties who have a statutory right to request it (for example, HMRC and Law Enforcement Agencies) or who have obtained an appropriate court order.

We may also share your personal data with:

- Our accountants, solicitors, insurers and sub-contractors
- Other Governmental or relevant regulatory bodies.
- Third parties who support us in providing our IT systems, including our website, e mails, data backup and storage.
- Third parties who archive our paper records
- Third party professional service providers instructed on a case by case basis by the Officeholder or the Firm, including (but not restricted to) accountants and tax advisers, solicitors, valuers, debt collection agencies and service providers who may assist with the calculation of employee claims or pension deficits and contributions. They will only process your data on our instructions and they are under a professional duty of confidentiality.

## PROTECTION OF YOUR PERSONAL DATA

Policies and commercially reasonable and appropriate procedures are in place to safeguard your personal data from loss, misuse and improper disclosure.

- Relevant training.
- Digital personal data is held in secure data centres potentially located worldwide (and therefore potentially outside of the EEC).
- Paper personal data is held at the Firm's offices in Horsforth, or, if the case has been closed, in a secure off-site third party storage facility.

We also have procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

All our third-party service providers are required to take appropriate security measures to protect your personal information. We only allow third-party service providers to process your personal information for specified purposes and in accordance with our instructions.

## YOUR RIGHTS

### *Informed*

Live Recoveries must make this privacy notice available with the emphasis on transparency over how we process your data.

### *Access*

You are entitled to find out what details we hold about you and why.

### *Rectification*

We are obliged to correct and update your details.

### *Erasure*

The request to be forgotten. This right does not apply when we hold your data under a legal obligation.

***Restrict Processing***

You have the right to block or suppress the processing by us of your personal data. This right does not apply when we hold your data under a legal obligation.

***Data Portability***

You have the right to obtain and reuse your personal data that you have provided to us. This right does not apply when we hold your data under a legal obligation.

***Object***

You have the right to object us processing your data in relation to direct marketing and or profiting only. This right does not apply when we hold your data under a legal obligation.

**DATA RETENTION**

We will only retain your personal data for as long as necessary. This necessity includes the purposes of satisfying any legal, accounting, regulatory or reporting requirements.

In line with these requirements personal data will generally be held for no longer than 6 years after the closure of an assignment or insolvency appointment.

If you have opted out of receiving future correspondence from us, your contact details will remain on our opt-out list to prevent you from receiving any further correspondence from us except where we are obliged to contact you by insolvency legislation.

**DATA DELETION**

You have the right to erasure under specific circumstances. A request for deletion of your personal data will be adjudicated upon on a case by case basis and any request must be submitted in writing, as detailed above.

**DATA CORRECTION**

Live Recoveries will correct or update your data without delay provided you make the request in writing to the contact details provided in this policy, clearly specifying which data is incorrect or out of date.

**DATA INSPECTION**

We strive to be as open as we can be in terms of giving people access to their personal data. Individuals can find out if we hold any of their personal data by making a formal request under the Data Protection laws. Such requests must be in writing to the details set out in this policy. If we hold personal data we will respond in writing within one calendar month of your request, where requested in accordance with the policy. The information we shall supply will:

- Confirm that your data is being processed;
- Verify the purpose of the processing;
- Categories of personal data being processed;
- Confirm the type or recipient to who the personal data have been or will be disclosed, and
- Let you have a copy of the data in an intelligible form.

You will need to provide identification in order to prove who you are to access your data. In the first instance, and if you agree, we will try to informally deal with your request by providing you with the specific information you need over the telephone.

In the instance that we do not hold information about you, we will also confirm this at the earliest opportunity in writing.

**COMPLAINTS**

You have the right to complain about the processing of your personal data. Please contact us using the details above. If you are still dissatisfied you have the right to complain to The Information Commissioner's Office.

**GENERAL**

We may amplify this Privacy Statement at the point of data collection. We may change the terms of this Privacy Statement from time to time and will place any updates on our website [www.liverecoveries.co.uk](http://www.liverecoveries.co.uk). This version is dated 21 February 2022. Paper copies of this Privacy Notice can be obtained free of charge by written request to our offices.