

## Thorne Expatriate Tax Services Limited - Privacy Policy

### 1) Introduction

We understand that your privacy is important to you and that you care about how your personal data is used. We respect our clients' privacy, and we are committed to safeguarding any personal data which we acquire in the course of our business.

The regulation that applies to UK businesses is the UK General Data Protection Regulation (UK GDPR) and this is tailored by the Data Protection Act (DPA) 2018.

Thorne Expatriate Tax Services Limited ("Thorne ETS", "we", "us" or "our") is required and committed to comply with all DPA and UK GDPR Regulations.

Thorne ETS is registered with, and supervised by, the information Commissioner's Office (ICO) for the purposes of Data Protection.

### 2) Purpose of this Policy

This policy sets out the obligations of Thorne ETS Limited and describes how we collect and use personal data about you in accordance with the DPA 2018 and the UK GDPR (and as amended) and any other national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK ("Data Protection Legislation"). In this policy the legislation shall be referred to as "The GDPR".

### 3) Accountability

This is the Privacy Policy for Thorne Expatriate Tax Services Limited. Registered no: 7230641, Registered Address: 4 Tannery House, Tannery Lane, Send, Woking, Surrey GU23 7EF.

Our Company Representative and our Data Protection Officer is Sara Thorne. Any questions or requests relating to this Privacy Policy or to our treatment of your data should be directed to Sara who may be contacted at: [sara@thorneets.co.uk](mailto:sara@thorneets.co.uk) or on 01483 210090.

Thorne ETS integrates Data Protection Considerations into all its processes.

All staff at Thorne ETS are aware of the GDPR and the importance of adherence to it.

### 4) Definitions and Statements

The GDPR applies to Data Controllers (those who determine the purpose and means of processing personal data) and Data Processors (those who process the data on behalf of the controller).

***Thorne ETS acts as both Controller and Processor and meets the obligations to both under GDPR.***

The GDPR applies to Personal Data. Personal Data is defined as any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier. Personal Data may be held in electronic form or in manual filing systems.

***Thorne ETS does collect and process Personal Data in electronic form and minimally retains information in manual filing systems.***

The GDPR applies to both automated Personal Data and to manual filing of data (both paper and electronic data).

***Thorne ETS does not use automated Personal Data. Thorne ETS does store paper and electronic data.***

Personal Data that has been pseudonymised (key-coded) can fall within the scope of GDPR.

***Thorne ETS does not use pseudonymised data.***

There are some special categories of Personal Data which are considered highly sensitive.

***Thorne ETS does not collect or process any “Sensitive” Personal Data.***

A Data Protection Impact Assessment (DPIA) must be carried out before any processing takes place which is “likely to result in a high risk”.

***Thorne ETS does not carry out any high-risk processing of data but would carry out a DPIA should the need arise.***

There are separate rules regarding data collected from children.

***Thorne ETS does not collect data from children. Any data held regarding a child is provided by the parent solely for the purpose of providing the service as set out in the Engagement Letter of the parent.***

## **5) Principles of GDPR and DPA**

Thorne ETS meets the Principles of GDPR and the DPA by ensuring that all Personal Data shall be:

- processed lawfully, fairly and in a transparent manner in relation to individuals;
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and, where necessary, kept up to date. Every reasonable step is taken to ensure that Personal Data is accurate, has regard to the purposes for which it is processed, and is erased at the appropriate time or rectified without delay;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the Personal Data are processed; and
- 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.

## **6) The Rights for Individuals under GDPR**

This section lists your rights with regards to your Personal Data. If you wish to exercise any of these rights below, then you may do so verbally or in writing. Please contact the company’s Data Protection Officer (refer to section 3 above). Section 7 outlines how the requests will be processed.

**Your duty to inform us of any changes** – It is important that the Personal Data that we hold about you is accurate and current. Should your personal information change, please notify us of any changes by contacting one of our Client Administrators.

**The right to be informed** - This Privacy Policy informs all clients of the data that we collect and how we use it. It informs clients of the legal bases for processing the data, of how we ensure that the data is kept securely, how long it will be retained, how we will manage any data breaches and how a complaint may be made.

**The right of access** - Individuals have the right to know that their data is being processed. Individuals have the right to obtain access to their Personal Data so that they are aware of, and can verify, the lawfulness of the processing.

**The right to rectification** - Individuals have the right to have inaccurate Personal Data rectified or completed if it is incomplete.

**The right to erasure** - Individuals have the right to have their Personal Data erased; this is also known as the “right to be forgotten”.

This right is not absolute. Thorne ETS will have to retain certain information according to its legal obligations to HMRC and/or to the IRS when the data is held under the legal basis of Contract (the Engagement Letter) or if the processing is necessary for the establishment, exercise or defence of legal claims. In these instances, the request will be refused.

**The right to restrict processing** - Individuals have the right to request that processing is restricted. This means that an individual can limit the way that an organisation uses their data. Should the request to restrict processing be upheld then the data can still be stored but it may not be processed. A time limit to the restriction may be set.

This right is not absolute. Thorne ETS must continue to process certain data according to its legal obligations to HMRC and/or to the IRS when the data is held under the legal basis of Contract (the Engagement Letter) or if the processing is necessary for the establishment, exercise or defence of legal claims. In these instances, the request will be refused.

**The right to data portability** - Individuals have the right to obtain and reuse their Personal Data for their own purposes across different services.

This right only applies to Personal Data that an individual has provided to a controller and where the processing is for the performance of a contract.

**The right to object** - Individuals have the right to object to processing based on Legitimate Interests, profiling, direct marketing, and processing for purposes of scientific/historical research and statistics. ***Thorne ETS does not process data for the purposes of profiling, direct marketing or for scientific/historical research and statistics. Thorne ETS does process data based on Legitimate Interests. Please refer to Section 9.***

**Rights in relation to automated decision making and profiling** - The GDPR has provisions on automated individual decision making and on profiling.

***Thorne ETS does not carry out any automated processing or profiling.***

## **7) How we will deal with a request with regard to exercising your rights**

The request will be dealt with free of charge and within one calendar month. Where we are unable to provide the information within this timescale, for example where the requests are complex or numerous, we can extend this period of compliance by a further two months. If this is the case, then you will be contacted within one month to let you know why there may be a delay and to confirm when the request will be dealt with. Where requests are manifestly unfounded or excessive, in particular because they are repetitive, then Thorne ETS reserves the right to charge a reasonable administrative based fee or to refuse the request.

If there is a legal reason why the request cannot be complied with, then the request may be refused.

Where requests are refused, an explanation will be provided within one month together with information about the individual’s right to complain to the supervisory authority (the Information Commissioner’s Office or ICO). Details of how to complain to the ICO can be found in section 17 of this policy.

Before any such information is sent or any such request is dealt with, Thorne ETS will use reasonable means to verify the identity of the individual making the request. We may need to request specific information from you to help us to do this and to ensure your right to access the information (or to exercise any of your other rights). This security measure helps to ensure that personal information is not disclosed to any person who has no right to receive it.

Where information is to be sent to an individual it can either be sent in a paper format or can be sent electronically and securely via the Secure Document Exchange (SDX) according to the preference of the individual. Where information is to be sent electronically then every effort will be made to provide the information in a commonly used electronic format according to the preference of the individual (CSV, Excel, Word).

## **8) The Data we hold about you**

**Identity Data** – name, address, marital status, date of birth, gender, copies of photo ID (and expiry dates of such documents), copies of proof of address, for example utility bills or driving licences (and expiry dates of such documents), citizenship, country of residence, country of domicile.

**Contact Data** – email addresses, phone numbers, correspondence address (if different from personal address, employer).

**Identifier Data** – National Insurance numbers, Unique Taxpayer References, US Social Security Numbers and US Individual Taxpayer Identification Numbers.

**Financial Data** – all data that you provide to us to enable us to carry out the required tax services to you; for example, earnings and income data (from all sources e.g. property, investments, salary, pensions, bank accounts etc.), tax codes etc.

**Transactional Data** – details of payments to and from you and of services that you have contracted us to carry out on your behalf.

**Correspondence Data** - correspondence between us and you, copies of correspondence between yourself and third parties (for example HMRC, IRS, Financial Advisers, Banks etc.).

We do not collect or hold any items of data not required to deliver the agreed services to you, for example demographic data (e.g. ethnicity, health, political or religious beliefs) or statistical data (e.g. usage data, website visits etc.).

## **9) The Purposes and the Legal Bases for Processing the Data that we hold**

There are 6 lawful bases for processing data which are set out in the GDPR. Each type of data that is processed must fall into one of these 6 categories. The basis for each type of data cannot be changed at a later date without informing the data subject (client). All Personal Data that is processed by Thorne ETS is done so under one of these lawful bases.

### **The Bases under which we use your Data**

**Legal Basis of Contract** - Thorne ETS operates under the lawful basis of Contract for its clients. This means that the processing is necessary, under a contract that we have with you, in order that we may provide the required tax services to you.

Thorne ETS' letter of engagement is GDPR compliant.

You may agree for Thorne ETS to employ third party companies to carry out certain agreed tax services to you that we cannot provide in house. This will be covered by your Engagement Letter

with Thorne ETS and Thorne ETS will be covered by an Engagement Letter with the third-party company concerned.

Thorne ETS receives your data primarily from you directly or from your agreed representative but may also receive certain information from specified third parties (e.g. HMRC, the IRS, Creditsafe/Credas (for Anti-Money Laundering Regulation purposes)). We may also request and receive data from a previous tax adviser during the professional clearance process but only with your knowledge and express consent.

**Legal Basis of Legal Obligation** - Thorne ETS operates under the lawful basis of Legal Obligation for clients in order to meet its regulatory obligations under the Money Laundering and Terrorist Financing Regulations (MLTFR) 2019 and as amended. This means that we have to obtain certain data from you to identify you in order to meet our MLTFR legal obligations.

Thorne ETS may operate under the lawful basis of Legal Obligation for clients in order to meet its obligations which are imposed by the Part 7 of Proceeds of Crime Act 2002 (and as amended) to process personal data in order submit a Suspicious Activity Report to the National Crime Agency when it knows or suspects that a person is engaged in, or attempting, money laundering.

**Legal Basis of Legitimate Interest** - Thorne ETS operates under the lawful basis of Legitimate Interest for clients in order to provide an efficient service to our clients. We maintain a Customer Relationship Management (CRM) database for clients with contact details, AMLR information and relevant Tax References. We maintain an accounting package which contains name and contact details of clients. We maintain work schedules in order to be able to carry out work for clients efficiently and effectively.

Thorne ETS does not process any **"Special Category" Data** for clients.

Thorne ETS does not use any **Automated Decision Making** and does not undertake any **Profiling** using client data.

## 10) Change of Purpose

Where we need to use your Personal Data for another reason, other than the purpose for which we collected it, we will only use it where that reason is compatible with the original purpose. Should it be necessary to use your Personal Data for a new purpose, we will notify you and communicate the new legal basis which allows us to do so before any new processing takes place.

## 11) Transfer or Disclosure of Personal Data

Transfer of data to third parties, for example to tax authorities (HMRC and IRS), following a professional clearance letter request from a new tax adviser or to a third party financial or personal adviser, will only be made after express consent is sought from the client.

Transfer of data to third parties for the purpose of their carrying out specific tax services that we are unable to provide in house will only be made when agreed under the terms of our Engagement with you.

Thorne ETS uses several software providers in order to manage its business and services. Transfer of data to these third-party software providers is made for the following activities: IT and Cloud Services, Tax Preparation and Advisory Providers, Administration Services, Financial and Accounting Services, Banking Services.

Some of these third parties are based outside the UK.

Transfer of data may be made without the clients' consent when there is a legal requirement to do so; for example, to law enforcement agencies such as the National Crime Agency.

No data is sold, leased or otherwise transferred to any other third parties including for the purposes of marketing unless Thorne ETS has the express consent of the individual concerned.

## **12) Safeguarding and Security of Data**

Your data is safeguarded and access to your data is restricted in the following ways:

- All client files, working papers and documents are stored and backed up electronically on a hosted cloud server. This hosted desktop is provided by HDUK Limited. Access to this server is restricted to Thorne ETS employees and is controlled using a 2-step authenticator login. No data is stored outside the hosted desktop on the hard drives of any of our computers. This means that no data is vulnerable when laptops are taken off site or should a pc or laptop be stolen.
- All data is safely backed up on secure UK based servers through our hosted desktop software provider.
- Staff are only able to access the hosted desktop from PCs or laptops provided by Thorne ETS and all these computers are protected by ESET Anti-virus software provided by HDUK Limited. This antivirus software updates automatically.
- The Hosted Desktop Login ensures that the connection is secure even when working remotely.
- Where cloud based software, for example Zoom, has AI which may generate meeting notes, these notes will be copied to a separate document to be saved within Hosted and will then be permanently deleted from the cloud based software.
- Thorne ETS uses a secure VOIP Phone system.
- All data and documents have been scanned and are now stored electronically. Additionally, certain files are held in paper form for limited periods:
  - Original or copy documents sent by clients. These are logged upon receipt, held prior to scanning and will then be returned to the client once scanning is complete.
  - Documents printed for reference during the tax preparation process. These documents will be securely shredded at the end of the tax preparation process.
- These paper files are documented, kept to a minimum and are retained in a locked filing cabinet in a locked and alarmed office when the office is unoccupied or when they are not in use.
- Thorne ETS operates a Clear Desk Policy.
- The electronic filing system has been set up so that, where required, certain data or documents may have restricted access and only be accessed by the Directors of the Company.
- The accounts package that we use (Xero UK) is cloud based and access is restricted to Thorne ETS employees and our Company Accountant, Freeman Accounting Services Limited, (also subject to, and compliant with, GDPR). Access to the software is securely controlled using a 2-step authenticator login.
- The Tax Preparation Software packages are cloud based and access is restricted to Thorne ETS employees using a secure passworded login (in transition to a 2-step authenticator login).
- All software suppliers have been checked to have GDPR compliant privacy policies.

- Where mobile phones are able to receive company emails these mobiles are securely protected, and therefore only able to be accessed, by the use of a password and/or a fingerprint. They are set up to ensure that all data can be erased remotely should they be lost or stolen.
- Thorne ETS uses a Secure Document Exchange (with SSL encryption) to send emails and documents, which contain private and confidential information, securely. Where documents are sent unencrypted at the clients request then the client will be required to provide a written waiver, and the document will be sent with password protection instead.
- Thorne ETS provides a File Drop URL to enable clients to send personal documents to us securely should they wish to do so.
- Thorne ETS sends Client Management documents, for example engagement letters, to clients securely via DocuSign.
- Where documents are sent in hard copy, they are either sent with the normal post and a Proof of Posting receipt is obtained or are sent by courier and their delivery is tracked.
- Where documents are prepared in Word they are converted to PDF before sending to external parties so that there is no possibility for a new recipient to track previous changes to the document.
- Thorne ETS rarely sends faxes; where a fax is required this would be arranged with the client and would be sent to their home address only and whilst they were present to receive it. Faxes are also occasionally sent to the IRS.
- Thorne ETS does not use autofill for email addresses when sending emails to minimise the risk of sending files or emails to a wrong individual.
- All staff who may process data are required to follow the company procedures in respect to safeguarding data and are provided with the appropriate training.

### **13) Reporting a Data Breach**

Thorne ETS will notify the ICO within 72 hours of any personal data breach which is likely to result in a risk to the rights and freedoms of individuals if, for example, it could result in the discrimination, damage to reputation, financial loss, loss of confidentiality or any other significant economic or social disadvantage.

Thorne ETS will inform individuals directly and without undue delay if there is likely to be a high risk to their rights and freedoms as a result of a breach.

All data breaches or suspected data breaches are reported by staff to the Data Protection Officer and recorded whether or not they are notified to the ICO or to the individual concerned.

### **14) Retention of Data**

We will only retain your Personal Data for as long as is necessary to fulfil the purposes for which it is collected and to comply with our legal requirements.

Certain client data, for example within our accounting software, may be retained for longer periods for the purpose of maintenance of company records under the lawful basis of Legitimate Interests. Only basic contact details, invoice details and work undertaken will be retained.

### **15) Deletion or Removal of Data**

Where data is held electronically it will be deleted from the hosted desktop at the appropriate time.

Where data is held in paper form it will be shredded securely, using a cross cut shredder with a security level of at least DIN 3, at the appropriate time.

## **Review of Data Held**

A Data Assessment Audit (DAA) has been carried out to determine the data that we hold and to document where it is held and for what purpose. This DAA will be reviewed regularly (at least annually) and prior to any new data processing projects being undertaken.

## **16) Complaints**

Thorne ETS is registered with, and supervised by, the Information Commissioner's Office (ICO) for the purposes of Data Protection. Should you have reason to complain then you can email the Data Protection Officer, Sara Thorne, at [sara@thorneets.co.uk](mailto:sara@thorneets.co.uk) in the first instance. You may wish to make a complaint directly to the ICO and they will advise on how to take your complaint forwards. Their contact details are:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
Telephone: 0303 123 1113 Website: <https://ico.org.uk/concerns>

## **17) Review of this Policy**

This policy will be reviewed at least annually.

## **18) Dissemination of this Privacy Policy**

This policy, in its previous iteration, was sent to all clients who were engaged with Thorne ETS as at 25<sup>th</sup> May 2018.

Subsequently, this policy was sent to all new clients with their engagement letter.

With effect from 1<sup>st</sup> April 2021, this Policy has been referenced to all clients, both current and new, and is available on the Client Resources Page of our website. It is no longer sent with client engagement letters.

When this Policy is updated, it is immediately available to all clients on the Client Resources Web Page. All clients are reminded about the policy and will be notified should there be any significant changes.

A copy of this policy can be requested at any time by contacting Sara Thorne (DPO) at [sara@thorneets.co.uk](mailto:sara@thorneets.co.uk)

Signed



**Sara Thorne – Data Controller – Thorne ETS Limited**

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**October 2024**