

RECENT UPDATES

- Section 1.7 updated to specify ASPL's usage of CRMS data in relation to business practices.
- Section 2.5 rewritten to avoid repetition and clarify usage of technical note data.
- Section 2.7 reorganised and renumbered to help break down information regarding third party data processors.
 - Campaign Monitor added as a third party processor in Section 2.7.4
 - Advice on objecting to specific third party data processing updated throughout this section.
- Section 5.2 has had a minor amend to clarify the usage of a lawful basis in relation to personal data collection.

TaxCalc Privacy Policy (2018-10-10)

At Acorah Software Products Limited ('ASPL'), we are committed to protecting your privacy and this Privacy Policy tells you how we collect, use and disclose your personal data. This Privacy Policy has been drafted to comply with the legal standards that currently exist in the United Kingdom and will be modified as ASPL determines is necessary to satisfy or exceed legal requirements. We reserve the right to modify this [Privacy Policy](#) at any time by notifying our customers, via the main ASPL website (www.taxcalc.com), of a new or revised Privacy Policy.

If you would like further information on this Privacy Policy or about ASPL's use of your personal data, we encourage you to contact compliance@taxcalc.com. For details concerning your rights under the General Data Protection Regulation (GDPR), and other applicable legislation, contact the Information Commissioner's Office (ICO) (<https://ico.org.uk>).

Please note that this Privacy Policy covers data management where ASPL qualifies as the Data Controller under the GDPR (<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/key-definitions/>), except where otherwise noted.

Where lawful bases of processing are noted (for example, contract, legal obligation or consent), ASPL in all ways manages individual rights in relation to these lawful bases in line with the ICO's guidance on the GDPR (<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-bases-for-processing/>).

Where a lawful basis of consent is noted in this Privacy Policy, You have the right to withdraw that consent.

You have the right to lodge a complaint with the ICO as the supervisory authority if you have an issue in relation to our treatment of Your data.

1 PERSONAL DATA

1.1 "Personal data" (as defined by the GDPR) means any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier. This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people.

1.2 Personal data that can be used to identify you as an individual includes your:

- name
- mailing address
- telephone number
- credit card number
- email address
- marketing preferences
- information collected via cookies
- log-in credentials (of customer account)
- IP address.

Examples of non-personal data include:

- business name (when the business is a corporate entity)
- business entity type (e.g. LLP, Limited Company, etc.)
- website address
- non-personal information provided in communications with ASPL
- non-personal information about your computer and about your visits to and use of the TaxCalc website (see Section 6).

1.3 No sensitive personal data (as defined by the GDPR) is collected by ASPL.

1.4 We are obliged to record your IP address by HMRC as an online merchant, in order to determine your country of purchase under the EU VAT MOSS Regulations. To determine this information your IP address is shared with a third party application programming interface (API) provided by Maxmind Inc. (<https://www.maxmind.com/en/home>) based in the USA. These actions in regard to personal data are performed on the lawful basis of legal obligation as described in the GDPR and ASPL only retain the data for the duration of the ordering process.

1.5 Personal Data can also be included within data gathered about your systems once you have purchased a product, such as your type of operating system and its version, the size of your database, as well as your operating environment. These actions in regard to personal data are performed on the lawful basis of contract as described in the GDPR.

1.6 We collect your Personal Data through a number of sources, including:

1. purchase orders
2. website registration
3. enquiries and information provided in communications with ASPL
4. software usage
5. visits to and use of the TaxCalc website (e.g. browser type and version, operating system, referral source, length of visit, page views and website navigation paths, etc.)
6. third parties who have advised that they are authorised to share your personal data with us (subject to ASPL's confidence that they are compliant with the GDPR in doing so).

1.7 Personal Data gathered directly from customers during purchase ordering, website registration or enquiries are centrally managed in a bespoke Customer Relationship Management System (CRMS). These actions in regard to personal data are performed on the lawful basis of contract as described in the GDPR and may be used by ASPL in the interests of ongoing staff training, incident investigations and product or process development. This personal data is kept for the duration of any ongoing business or software usage, and for six years thereafter.

2 HOW WE USE PERSONAL DATA

2.1 Certain personal data, such as names, contact details and online identifiers, are required for us to supply products and services that you have requested, carry out an agreement with you or take any steps that you have requested. These actions in regard to personal data are performed on the lawful basis of contract as described in the GDPR. Examples of additional required uses of your personal data include:

- licensing software products via the internet - in these instances, any information collected in this process will be transmitted over a secure connection to our servers
- updating you as to the status of your order
- alerting you to important product revisions or updates to an ASPL product/service you have purchased, normally via email or the TaxCalc application (please note that it is not possible to opt out of these 'service level' communications)
- ensuring that you are properly registered to receive technical support

in each of the cases above, the data is retained for as long as you are an ASPL customer and for a further seven years thereafter.

In the event that you submit personal data by telephone, although ASPL does not record calls, calls may be live monitored to:

- provide evidence of your order or transaction with us
- ensure that we comply with relevant regulatory procedures
- see that quality standards or targets are being met
- protect the interests of national security
- prevent or detect crime
- investigate the unauthorised use of a telecommunications system
- secure the effective operation of our telecommunications system.

2.2 In addition to the uses mentioned in 2.1, we may also use your personal data for the following additional purposes and direct marketing ("Additional Purposes"). These actions in regard to personal data are performed on the lawful basis of consent as described in the GDPR

Examples include where you have given us appropriate permission to:

- advise you about new ASPL products and services, as well as special discounts on ASPL products and services.
- provide business, sector and market-relevant news updates.
- remind you of important industry deadlines (such as tax return submission dates) - note that this consent option will be discontinued as of 25 May 2018.
- advise you about offers from other companies that ASPL feels may be of interest to you, such as AccountingWEB, ICAEW, ICPA, Accountex, AAT. (In these instances, ASPL forwards the offer to you.)
- contact you to see how you're getting on with a downloaded trial and discuss your requirements - note that this consent option will be discontinued as of 25 May 2018.

Additionally, from 25 May 2018, the following contact methods have been separated out for the purposes of direct marketing consent:

- via email (ASPL's default contact method)
- via telephone
- via mail

2.2.1 These Additional Purposes for your personal data can be managed in your customer account of the ASPL website. If you want to give or withdraw your consent to receiving Marketing Materials in any medium, simply notify ASPL (see Privacy Policy Questions, Updating Your Personal Data and Preference Notifications, below). If you advise ASPL that you do not want to receive any Marketing Materials at all, ASPL shall not be able to provide you with information concerning special discounts and offers for which you may be eligible, advisories regarding new products or services that may be of interest to you or warnings regarding impending government deadlines.

2.2.2 At no stage will ASPL hold for posterity any information that you enter into the TaxCalc software (such as the contents of a tax return, filing credentials, accounting information and so on), other than in the specific role of Data Processor in a CloudConnect Service (see Section 4 for more details).

2.2.3 You are responsible for keeping appropriate copies of your own data.

2.2.4 In each of the cases listed in 2.2, the data is retained for as long as you are an ASPL customer and for a further seven years thereafter. However, your account will be marked as dormant following four years' inactivity and you will not be contacted following this time for Additional Purposes.

2.3 To help us improve our products and services and develop new ones, we may also create aggregate data that uses your personal data but in a manner that does not identify you as an individual. For example, we may:

- use your address to help identify the total number of users of a particular product in a geographic area.
- collect types of tax return that you have used (not the content).
- collect your print settings to help generally determine usage.
- collect the number of HMRC API Fetch Requests performed (not the content) to monitor usage of the feature.
- collect the number of clients used in each module, for example the number of clients that have had an accounting period created for them in Accounts Production.

2.4 In order to provide you with support on any technical issues that you may encounter, we may carry out the following to help diagnose and remedy the issue:

- Ask to initiate a debug log. This collects 'debugging' information from your computer and TaxCalc, including login strings and configuration data. This is used to help locate, diagnose and troubleshoot operating problems.
- Ask for you to send a health check. This gathers information about your computer itself, such as its name, OS version details, installed programs and the like. This is also used to help locate, diagnose and troubleshoot operating problems.
- Ask for you to send an anonymised tax return directly from the TaxCalc software. You also have the option to send us the tax return without anonymising the data, should you wish. This is normally used to help deal with specific tax return issues.
- Ask to access your system via a remote login service. This service will be provided by a third party under license with and operated by ASPL. The third party will also abide by their own Privacy Policy. ASPL may record these sessions for up to 12 (twelve) weeks. This kind of service is used to remotely navigate your computer in order to troubleshoot complex issues, as well as to securely transfer files between TaxCalc and yourself.
- Ask to access your CloudConnect database directly. This kind of service is used to directly

assess and troubleshoot complex CloudConnect database issues.

In any of these situations, TaxCalc remains the Data Processor maintaining the service or product on the instruction of the Data Controller.

2.5 During the course of investigating a technical issue or answering a query, pertinent notes will be kept on your CRMS file to record the process and resolution. These notes will be treated as per Section 1.7.

2.6 Any databases, XBRL files, tax returns or sets of accounts sent to us during the course of investigating a technical issue, and any information contained therein, will be destroyed following the resolution of your technical issue. A note will be kept on your file to record the resolution. Should you use our 'Upload a File to TaxCalc' facility in the My Account area of the website, any files uploaded (by yourself or ASPL) will remain available for a maximum of 14 (fourteen) calendar days before automatic deletion (though you may delete any uploaded files at any time manually).

2.7 ASPL may use certain third-party service providers to help us fulfil your requests and maintain our business practices. For example, we may use third party service providers to:

- process your credit card payments or ship to you a product that you ordered
- manage email and ad campaign operations
- host CloudConnect database servers
- send documents electronically for approval
- monitor and assess the usage and behaviour of visits to ASPL's website.

In these instances, these third-party service providers are under a contractual duty to restrict their use of personal data to the limited purpose(s) specified by ASPL, which at all times shall be consistent with this Privacy Policy.

2.7.1 ASPL uses Secure Trading Limited (Secure Trading) to handle card payments, who are audited by the Payment Card Industry Security Standards Council (PCI-SSC). In the case of a Pay By Instalment Arrangement (and only when specifically arranged as such under our [Terms & Conditions of Sale](#)), ASPL only acquires an authorised token from the card payment processor for use in recurring payments - your full card details are still only held with Secure Trading.

2.7.2 ASPL uses Mythic Beasts Limited and Bytemark Limited to provide main and backup server provision, respectively, for our CloudConnect Service, under licence with and operated by Acorah Software Products Limited.

2.7.3 ASPL may also upload email addresses in hashed format to social media platforms (Facebook, Twitter, LinkedIn and the intermediary Adroll) in order to help target specific ad campaigns to sectors. These actions in regard to personal data are performed on the lawful basis of legitimate interest as described in the GDPR, as we wish to specify the relevance of any material users may encounter. You may disable this by logging into Your Website Account and unticking the 'Online advertising' tickbox.

2.7.4 ASPL uses third party processors (Pure360 and Campaign Monitor) to implement our email campaigns. The third party processors do not use the email addresses stored for their own purposes; they are purely Data Processors.

Please note that Campaign Monitor's servers are located outside the European Economic Area (EEA) and as such data gathered will likely leave the EEA as it is processed. We have a specific agreement with Campaign Monitor to treat any personal data gathered with maximum

adherence possible to UK data protection regulations.

Both Pure360 and Campaign Monitor use tracking technologies to monitor the performance of the email campaigns (for example, if an email was opened or not), which is in turn provided to ASPL (described in [Campaign Monitor's Privacy Notice](#) and [Pure360's Licence Agreement](#)). It is possible to object to this processing by not consenting to or opting out of our marketing email channels (see Section 2.2).

2.7.5 ASPL uses a third party processor (Signable) to implement its e-signing service. Signable are purely a Data Processor as detailed in their own privacy policy.

2.8 In the case of visitors identified by our website analytics as using business IP addresses, we may also use publicly available information on those businesses to contact them and offer further aid in reviewing and purchasing TaxCalc products. This does not apply to personal customers or consumers, only businesses and practices registered with Companies House.

2.9 When entering an address into our website, we offer the ability to lookup Your address using a postcode. This functionality is provided by sharing the postcode with a third party application programming interface (API) provided by AFD Software Limited (<http://www.afd.co.uk/>) based in the Isle of Man.

2.10 Unless otherwise specified in this Privacy Policy, your personal data will not be transferred to a third party for their independent use without your express consent. ASPL does not give trade references and does not 'sell on' or share your personal details beyond the limited circumstances described within this policy.

2.11 You should be aware that there are very limited instances under law in which we may be required to disclose the personal data of our customers. If such an instance arises, we shall only release that personal data as required by law. These actions in regard to personal data are performed on the lawful basis of legal obligation as described in the GDPR.

2.12 As a recognised Gold Partner with Microsoft, you should be aware that there are very limited instances under our contract where we are required to disclose if, during the course of our business, it is discovered that a customer is violating a Microsoft licence agreement or does not have sufficient Microsoft licences. These actions in regard to personal data are performed on the lawful basis of contract as described in the GDPR.

2.13 ASPL limits the processing of data by third parties wherever possible. The TaxCalc program itself runs on Windows, Mac and Linux operating systems (OS). ASPL is not responsible for additional privacy stipulations and policies of the parent companies of these OS providers when using their operating systems.

2.14 Occasional Collection or Usage Instances. Occasionally, we may invite you to:

2.14.1 participate in a survey or provide additional personal data that will enable us to better understand and serve your needs. Any information request marked as optional gives you the freedom to decide whether to respond and you will also be given the option to either supply information anonymously (to be used as aggregate data only) or not (in which case it is supplied on the lawful basis of consent). Please keep in mind that all information you choose to provide may be used to personalise and improve our customer service operations. Whether aggregate or not, the data will only be kept for three years.

2.14.2 participate in a photo shoot, video interview or similar. In these instances we will always

ask you to complete either an [ASPL Image-Audio Release Form](#) (IRF, for a one-off occasion) or an [ASPL Model Release Form](#) (MRF, for ongoing engagements). The details are contained within each form but both include an agreement under the lawful basis of contract for personal data processing and agreements under the lawful basis of consent for marketing. You can email compliance@taxcalc.com to enquire or make changes to these data protection agreements.

2.14.3 participate in a reviewing service, hosted by <https://usertest.io>, that will enable us to evaluate customer experience of our website and/or products. Any personal data collected or used by usertest is under the terms of their [Privacy Policy](#). Any personal data collected or used by ASPL while performing this service is collected under the lawful basis of contract. Further information is provided during the reviewing service's registration period.

3 SOFTWARE DATA

3.1 The anti-piracy routine generates a unique key that is transmitted to our server during the activation process and is used to identify the computer upon which you run your TaxCalc software. All data contained within the key is encrypted.

3.2 Your operating system type and version will be gathered by the TaxCalc software and recorded against your client account.

3.3 All names and companies listed in the demonstration database for the TaxCalc product are fictitious. No identification with actual persons or companies is intended or should be inferred.

4 CLOUD DATA

4.1 Customers using our TaxCalc CloudConnect Service operate under the same data protection principles as described in Sections 2 and 3, with the exceptions that:

4.1.1 You remain the Data Controller for personal data uploaded to the TaxCalc CloudConnect Service and any personal data therein is still your legal responsibility. ASPL is only a Data Processor in this respect. The GDPR defines both Data Controller and Data Processor as applicable terms.

4.1.2 Further details about the processing of personal data uploaded to the TaxCalc CloudConnect Service can be found in the [Cloud Service Agreement](#) (especially [Attachment 3](#)).

5 MARKETING MATERIALS

5.1 We want you to have control over the ways in which we will initiate contact with you to provide you with information and materials for the Additional Purposes ("Marketing Materials").

5.2 ASPL only acquire personal data in accordance with a lawful basis as defined in the GDPR. Any data received via a third party will be rigorously assessed to ensure GDPR adherence and handled as per this Privacy Policy, though please be aware that third parties will have their own privacy and data collation terms.

6 USE OF THE ASPL WEBSITE AND COOKIE USAGE

6.1 Our website uses cookies to improve your user experience. Cookies are text files containing small amounts of information which are downloaded to your device when you visit a website. Cookies are then sent back to the originating website on each subsequent visit, or to another website that recognises that cookie. Cookies are useful because they allow a website to recognise a user's device, enabling online shopping carts, remembering choices you have made and so on. You can find more information about cookies at: www.allaboutcookies.org and www.youronlinechoices.eu. For a video about cookies visit <https://www.google.com/policies/technologies/cookies/>.

The cookies used on this website have been categorised in accordance with the ICO UK Cookie guide. Lists of all the cookies used on this website are set out here.

6.2 Category 1: Strictly Necessary Cookies

- PHPSESSID - used as an index to record session data on our server (e.g. current order number); expires 20 (twenty) minutes following the end of the session or when the browser is closed, whichever is sooner
- PHPKBSESSID - used as an index to record session data on our server when using the Knowledge Base area of the website; expires 20 (twenty) minutes following the end of the session or when the browser is closed, whichever is sooner
- OldBrowserWarning - used to advise if the user's browser is so old it will be functionally impaired in viewing the website; expires 20 (twenty) minutes following the end of the session or when the browser is closed, whichever is sooner

Category 1 cookies are essential in order to enable you to move around the website and use its features, such as accessing secure areas of the website. Without these cookies services like the shopping basket cannot be provided. Category 1 cookies are implemented on the lawful basis of legitimate interest as described in the GDPR, as we genuinely cannot run the website effectively without them. Nevertheless, you can contact compliance@taxcalc.com to object to this processing.

If you do not wish to accept these cookies and would like to purchase an ASPL product or service, you may complete most transactions by calling us on 0345 5190 882.

6.3 Category 2: Performance Cookies

- `_utma`, `_utmb`, `_utmc`, and `_utmz` - required by Google Analytics; expires 26 (twenty-six) months after last visit to website

Category 2 cookies collect information about how you use the website, for instance which pages you go to most often and if you get error messages from web pages. These cookies don't collect information that identifies you and all information these cookies collect is aggregated and therefore anonymous. It is only used to improve how the website works. Category 2 cookies are implemented on the lawful basis of legitimate interest as described in the GDPR, as we wish to maintain the performance integrity of our website. You can directly control the collection of Performance Cookies via the Cookie Settings option in our Website's footer area.

6.4 Category 3: Functionality Cookies

- `email` - holds customer's email address (which is used as the login/account name); expires 2 (two) years after last visit to website.
- `OptanonAlertBoxClosed` - remembers if you have closed the Cookie Preferences Alert Box.

- OptanonConsent - records a user's consent and preferences for Cookie settings.
- _dc_gtm_UA-40403013-1 - this cookie is associated with Google Tag Manager and remembers your decisions in regard to targeting and analytics (as described in Category 4).

Category 3 cookies allow the website to remember choices you make (such as your user name, language or the region you are in) and provide enhanced, more personal features. The information these cookies collect may be anonymised and they cannot track your browsing activity on other websites. Category 3 cookies are implemented on the lawful basis of legitimate interest as described in the GDPR, as we wish to maintain the functionality and easy usability of our website. You can directly control the collection of Functionality Cookies via the Cookie Settings option in our Website's footer area.

6.5 Category 4: Targeting or Advertising Cookies

- Google cookies - gac, gads, DSID, FLC, AID, TAID and exchange_uid; expires 2 (two) years after last visit to website.
- LinkedIn cookies - bizo_bzid, _bizo_cksm, _bizo_np_stats; expires 6 (six) months after last visit to website.
- Facebook - Pixel; expires 180 (one hundred and eighty) days after last visit to website.
- Twitter - Universal Website Tag; expires 90 (ninety) days after last visit to website.
- AdRoll - __utmb; expires 26 (twenty-six) months after last visit to website.

When you visit our website we use these cookies to collect information about your activities that may directly or indirectly identify you. This information may include the content you view, the date and time that you view this content, the products you purchase, or your location information associated with your IP address. We may use the information we collect to serve you more relevant advertisements (referred to as 'Retargeting') or to measure 'Conversions' on our site. This information can include where you saw the ads we serve you and what ads you clicked on.

We use Google's third party audience data such as, such as interests and commonly visited websites, to better understanding the behaviour of our customers. For example, you may see our ads on other websites because we contract with Google and other similar companies to target our ads based on information we or they have collected, including information that was collected through automated means (such as cookies and web beacons). These companies also use automated technologies to collect information when you click on our ads, which helps track and manage the effectiveness of our marketing efforts.

We use social network cookies from LinkedIn, Twitter and Facebook. These cookies may store anonymous demographic data from the relevant social network. For example, LinkedIn data can include company size, industry, job function and seniority level but does not include any personally identifiable information.

We use AdRoll to place cookies on your browser for targeted advertising purposes. These cookies track device and browser information, as well as activity on the TaxCalc website, to help target our ads based on information AdRoll have collected.

Category 4 cookies are implemented on the lawful basis of legitimate interest as described in the GDPR. You can directly control the collection of Targeting or Advertising Cookies via the Cookie Settings option in our Website's footer area.

6.6 There are general options (unrelated to ASPL) available for opting out of various web services' automated collection of information. Examples on how to do this can be found at

<http://www.youronlinechoices.com/uk/>.

6.7 If you submit a Curriculum Vitae via the TaxCalc Careers page at <https://www.taxcalc.com/careers>, please be aware that we will retain this information for up to 6 (six) months and then remove it from our systems. These actions in regard to personal data are performed on the lawful basis of consent as described in the GDPR.

6.8 The ASPL Website's essential operating system processes functional data in order to operate, which may include data determined to be personal data (for example, IP addresses). These functions are not based on cookies. Any personal data collected in this manner by the fundamental website logging are performed on the lawful basis of legitimate interest as described in the GDPR, as such logging is required for the website's continued operation. It will also be automatically deleted within four weeks. Nevertheless, you can contact compliance@taxcalc.com to object to this processing.

7 LINKS TO NON-ASPL WEBSITES

7.1 Our Website may provide links from our Website to third party Websites. If you click on a banner advertisement or third party link, the "click" will take you off the ASPL website. Once you leave any ASPL website, any information that you provided to us remains with us and is not forwarded to the next site to which you have linked.

7.2 Any personal data or other information that is collected by, or which you choose to provide any third party website will be subject to the privacy policy of the operators of the third party website. ASPL is not responsible for the use or protection of personal data you disclose to a third party website operator, even if reached from an ASPL website.

7.3 Any site that is an ASPL co-branded website will clearly identify both ASPL and the third party, and any personal data or other information collected through these co-branded sites may be collected and used by both ASPL and the third party unless otherwise stated on that co-branded site.

7.4 Further details of links to other websites can be found in the [Website Disclaimer](#).

8 PROTECTION OF PERSONAL DATA

8.1 All personal data is collected and stored in a secure manner and is used strictly in relation to this policy, any other applicable ASPL policies (such as Terms & Conditions of Sale, EULA and/or CSA) and your stated privacy preferences.

8.2 For a full description, please see the [Information Security Policy](#).

9 PRIVACY POLICY QUESTIONS, UPDATING YOUR PERSONAL DATA AND PREFERENCE NOTIFICATIONS

9.1 We encourage you to provide feedback on, and to ask questions about, this Privacy Policy, as well as to review and update your personal data as maintained by ASPL.

9.2 ICO registered details:

9.2.1 Our ICO registration reference is Z896266X.

9.2.2 Our registered Data Protection Officer is Ian Belcher and the registered address is TaxCalc, Rubra One, Mulberry Business Park, Fishponds Road, Wokingham, RG41 2GY. Tel: 01189364855, Email: compliance@taxcalc.com

9.3 Our online [Information Security Policy](#) covers our security stance and provides details of the measures taken to protect personal and non-personal data.

9.4 At any time you may change your preferences as to the use of your personal data or receipt of Marketing Materials. You may also as an individual request copies of the personal data held by ASPL, though some types of information may not be disclosed to individuals where exemptions under law apply (e.g. information relating to third parties in particular circumstances).

All such communications and inquiries should be sent to compliance@taxcalc.com or mailed to the Compliance Team, Acorah Software Products Limited, Rubra One, Mulberry Business Park, Fishponds Road, Wokingham, RG41 2GY. Please be sure to include sufficient information for us to verify your identity, locate your file (if applicable) and respond to your inquiry. You should also include your mailing address if you would like us to send you any written materials.

9.5 ASPL reserves the right to take reasonable steps to verify any requests for personal data it receives.

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