

## **COMBINED PROVISION OF SERVICES REGULATIONS SUMMARY SHEET AND PRIVACY NOTICE**

### **PROVISION OF SERVICES REGULATIONS SUMMARY SHEET FOR ANDERSON ANDERSON & BROWN LLP, FPM ACCOUNTANTS LIMITED, FPM ACCOUNTANTS (IRELAND) LIMITED AND FRENCH DUNCAN LLP IN RELATION TO INSOLVENCY SERVICES**

Each of these entities are members of a wider corporate group (referred to as the AAB Group) with cross shareholdings or Persons of Significant Control in common. A list of entities affiliated with AAB Group can be found [here](#).

The following information is designed to draw the attention of interested parties to the information required to be disclosed by the Provision of Services Regulations 2009.

#### **Licensing Body**

All of the IPs within Anderson Anderson & Brown LLP, FPM Accountants Limited, FPM Accountants (Ireland) Limited and French Duncan LLP are licensed to act as Insolvency Practitioners in the United Kingdom by the Institute of Chartered Accountants of Scotland (“ICAS”) or Chartered Accountants Ireland (“CAI”) as applicable.

Brian Milne is an insolvency practitioner (UK) and a Chartered Accountant and member of ICAS.

David McGinness is an insolvency practitioner (UK) and an Affiliate member of ICAS.

Duncan Raggett is an insolvency practitioner (UK) and an Affiliate member of ICAS.

Seamus Keating is an insolvency practitioner (UK and Ireland) and a Chartered Accountant and member of CAI.

Gary Digney is an insolvency practitioner (Ireland) and a Chartered Accountant and member of CAI.

#### **Rules Governing Actions**

All IPs are bound by the rules of their professional body, including any that relate specifically to insolvency. The rules of ICAS can be found at <https://www.icas.com/?category=Regulation>. The rules of ICAI can be found at: <https://www.charteredaccountants.ie/ProfessionalStandards/Home>.

In addition, IPs are bound by the Statements of Insolvency Practice (SIPs), details of which can be found at <https://www.r3.org.uk/what-we-do/publications/professional/statements-of-insolvency-practice>.

#### **Ethics**

All IPs are required to comply with the Insolvency Code of Ethics and a copy of the Code can be found at [https://www.icas.com/\\_data/assets/pdf\\_file/0009/2007/F8002-ICAS-Code-of-Ethics-Part-D.pdf](https://www.icas.com/_data/assets/pdf_file/0009/2007/F8002-ICAS-Code-of-Ethics-Part-D.pdf) and <https://www.charteredaccountants.ie/Ethics/Resources/The-Code-of-Ethics>.

#### **Complaints**

We always strive to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of a particular case then in the first instance you should contact the IP acting as office holder.

If you consider that the IP has not dealt with your comments or complaint appropriately you should then put details of your concerns in writing to our **Group Chief Executive, Emma Lancaster**. This will then formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a senior partner unconnected with the appointment.

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to ICAS or CAI as appropriate. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at [www.gov.uk/complain-about-insolvency-practitioner](http://www.gov.uk/complain-about-insolvency-practitioner); or you can email [insolvency.enquiryline@insolvency.gov.uk](mailto:insolvency.enquiryline@insolvency.gov.uk); or you may phone 0300 678 0015. Information on the call charges that apply is available at <https://www.gov.uk/call-charges>.

### **Professional Indemnity Insurance**

Anderson Anderson & Brown LLP, FPM Accountants Limited, FPM Accountants (Ireland) Limited and French Duncan LLP's Professional Indemnity Insurance is provided by Royal & Sun Alliance plc & others c/o Lockton Companies LLP, 22 Rutland St, Edinburgh, EH1 2AN. The territorial coverage is worldwide.

### **VAT**

Anderson Anderson & Brown LLP and French Duncan LLP are part of Pioneer Bidco VAT Group – VAT Number: 433 5440 15.

FPM Accountants Limited VAT Number: 187449949

FPM Accountants (Ireland) Limited VAT Number: 3425442IH

### **Bribery Act 2010**

AAB Group is committed to applying the highest standards of ethical conduct and integrity in its business activities. Every employee and individual acting on AAB Group's behalf is responsible for maintaining our reputation and for conducting company business honestly and professionally.

AAB Group take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate.

AAB Group requires all those who are associated with it to observe the highest standards of impartiality, integrity and objectivity.

AAB Group prohibits anyone acting on its behalf from:

- bribing another person. A bribe includes the offering, promising or giving of any financial or other type of advantage;

- accepting a bribe. This includes requesting, agreeing to receive or accepting any financial, or another kind of advantage;
- bribing a foreign public official; and
- condoning the offering or acceptance of bribes.

AAB Group will:

- avoid doing business with others who do not accept our values and who may harm our reputation;
- maintain processes, procedures and records that limit the risk of direct or indirect bribery;
- promote awareness of this policy amongst its staff, those acting on its behalf and entities with which it has any commercial dealings;
- investigate all instances of alleged bribery, and will assist the police, and other authorities when appropriate, in any resultant prosecutions. In addition, disciplinary action will be considered against individual members of staff; and
- review this policy regularly and update it when necessary.

## **AAB GROUP – INSOLVENCY APPOINTMENTS PRIVACY NOTICE**

Last Reviewed: 27<sup>th</sup> October 2023

The following information is provided to comply with the requirements of the UK General Data Protection Regulation (GDPR) which has the meaning given to it in section 3(10) (as supplemented by section 205(4)) of the Data Protection Act 2018).

This privacy statement describes why and how we collect and use personal data and provides information about individuals' rights. It applies to personal data provided to us, both by individuals themselves or by others. We may use personal data provided to us for any of the purposes described in this privacy statement or as otherwise stated at the point of collection.

### **1 IDENTITY AND CONTACT DETAILS OF THE CONTROLLER AND WHERE APPLICABLE, THE CONTROLLER'S REPRESENTATIVE AND THE DATA PROTECTION OFFICER**

Where an insolvency practitioner of AAB, French Duncan LLP or FPM Accountants Ltd is not appointed as office holder, the data controller is either the company/individual on whose instructions AAB, French Duncan LLP or FPM Accountants Ltd is acting or it is AAB, French Duncan LLP or FPM Accountants Ltd as applicable.

Where an insolvency practitioner of AAB, French Duncan LLP or FPM Accountants Ltd (hereafter "AAB Group") is appointed as office holder and the data processing is carried out as part of their statutory duties, the office holder(s) is/are the data controllers. The insolvency practitioner(s) can be contacted at the details shown below:

[Brian.Milne@aab.uk](mailto:Brian.Milne@aab.uk), telephone: +44 141 271 2868  
[David.McGinness@aab.uk](mailto:David.McGinness@aab.uk), telephone: +44 141 271 3919  
[Duncan.Raggett@aab.uk](mailto:Duncan.Raggett@aab.uk), telephone: +131 357 6893  
[Seamus.Keating@aab.uk](mailto:Seamus.Keating@aab.uk), telephone: +28 9089 7672  
[Gary.Digney@aab.uk](mailto:Gary.Digney@aab.uk), telephone: +28 3025 3903

### **2 YOUR INFORMATION, HOW WE USE IT AND YOUR RIGHTS.**

AAB Group is committed to protecting your personal information.

This privacy policy explains how the Insolvency Practitioners in AAB Group entities, use any personal information we collect about you when we have been engaged for our insolvency services.

Our Privacy Policy contains important information about what personal details we collect; what we do with that information; who we may share it with and why; and your choices and rights when it comes to the personal information you have given us.

We may need to make changes to our Privacy Policy; so please check with your associated Insolvency Practitioner for updates from time to time. If there are important changes such as changes to where your personal data will be processed; we will contact you to let you know.

### **3 HOW THE LAW PROTECTS YOU**

Data Protection law says that we are allowed to use personal information only if we have a proper reason to do so. This includes sharing it outside AAB Group. The reasons we collect and use your data are:

- To fulfil our contract to provide services to you/data controller (Client).
- When we have a legal duty – to obey laws and regulations that apply to us.
- When it's in the legitimate interest of a third party – stakeholders in the insolvency process.

### **4 WHAT INFORMATION DO WE COLLECT ABOUT YOU?**

We collect personal data as is required to fulfil our contract with our client.

Information we may collect includes:

- Contact details – names, addresses, phone numbers, email addresses
- Financial details – employment details, bank details
- Location
- Trade Union membership
- Health

### **5 HOW DO WE COLLECT INFORMATION FROM YOU?**

The personal data we have used to contact you was provided by the company/individual (or persons acting on their behalf) on whose instructions we are acting or in relation to which our insolvency practitioner has been appointed. We also access information from the Registrar of Companies and other similar public-access data providers.

### **6 HOW DO WE LOOK AFTER YOUR INFORMATION?**

We limit the amount of personal data collected to what is required to fulfil our obligations to you.

We restrict, secure and control all of our information assets against unauthorised access, damage, loss or destruction: whether physical or electronic.

We will keep your personal information while you are a client or as long as required to meet our legal or regulatory obligations. We may keep it longer if we cannot delete it for legal, regulatory or technical reasons.

With your assistance we try to maintain the accuracy of your personal data.

## **7 HOW WILL WE USE THE INFORMATION ABOUT YOU?**

The purpose for which personal information is processed may include any or all of the following:

- deliver services and meet legal responsibilities
- verify identity where this is required
- communication by post, email or telephone
- understand needs and how they may be met
- maintain records
- process financial transactions
- prevent and detect crime, fraud or corruption
- may also need to use data to defend or take legal actions related to the above

We may share your data with these organisations but only for the reasons outlined in “How the law protects you”:

- Companies we, or you, have chosen to support us in the delivery of products and services we offer (including other AAB Group Entities)
- Our Regulators and Supervisory Authorities
- HMRC
- Law enforcement for the prevention and detection of crime

We periodically check that these third parties have appropriate safeguards in place to protect your data and that they are compliant with Data Protection Regulations.

## **8 ACCESS TO YOUR INFORMATION AND CORRECTION**

The accuracy of your information is important to us and we will update the information as appropriate. If you change your contact information please notify us and we will update our records.

You have a number of specific rights, these are summarised below:

- **Access** – You may ask for a copy of the information we hold about you and we will provide this within one month of receipt free of charge (we may charge a fee for subsequent or duplicate requests).
- **Rectification** – You may ask us to correct any information that we hold that is inaccurate or incomplete.

**Due to the special circumstances of this engagement the right to erasure, data portability, restrict processing and to object does not apply.**

This is a brief summary of your rights and there may be restrictions on some of them. If you wish to explore any of these rights at any time please contact us on the addresses below and we will be pleased to assist you.

## **9 TRANSFERRING YOUR INFORMATION OUTSIDE OF THE UNITED KINGDOM**

The majority of your information is processed in the UK. However, as part of the services offered to you, some of your information may be transferred to countries outside the UK.

Where your information is being processed outside of the UK we will take steps to ensure that appropriate security measures are taken with the aim of ensuring that your privacy rights continue to be protected as outlined in this Policy. We will put in place legal agreements with our third party suppliers and do regular checks to ensure they meet these obligations.

If you use our services while you are outside the UK, your information may be transferred outside the UK in order to provide you with those services.

## **10 HOW TO CONTACT US**

Please contact us if you have any questions about our privacy policy or information we hold about you.

Please let us know if you believe we are not holding your information correctly, if you are unhappy with how we have used your personal information or have any questions about our privacy policy or information we hold about you. Our Data Protection Officer is Alan Paterson who can be contacted at:

AAB Group  
Kingshill View  
Prime Four Business Park  
Kingswells  
Aberdeen  
AB15 8PU

Alternatively you can email [gdpr@aab.uk](mailto:gdpr@aab.uk)

You also have the right to complain to the Information Commissioners Office. You can do this:

- via their website <https://ico.org.uk/concerns>
- In writing to

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Northern Ireland:

ICO Northern Ireland contact details  
The Information Commissioner's Office – Northern Ireland  
3rd Floor,  
14 Cromac Place,  
Belfast  
BT7 2JB

Telephone: 028 9027 8757 / 0303 123 1114  
Email: [ni@ico.org.uk](mailto:ni@ico.org.uk)

Ireland:

DPC Ireland contact details  
Data Protection Commissioner's Office – Ireland  
21 Fitzwilliam Square South  
Dublin 2  
D02 RD28  
Ireland

Telephone: +353 (0)761 104 800 / +353 (0)57 868 4800  
Email: [dpcaccessofficer@dataprotection.ie](mailto:dpcaccessofficer@dataprotection.ie)