



WHAT INFORMATION YOUR UK COMPANY'S WEBSITE MUST INCLUDE

Not every UK company is aware of the statutory requirement to make certain information easily accessible on their website. Here is a useful checklist for you to use.

The information needs to be easily accessible, but it doesn't have to appear on every page. It's most often included on the About Us or Contact Us page.

- Company name.
- Company registered number.
- Place of registration, such as England and Wales.
- Registered office address.
- Postal address and company email address.
- How to contact the company via non-electronic means.
- If the company undertakes an activity subject to VAT, its VAT number.*
- The name of any trade bodies or professional associations that the company is part of, as well as any membership or registration details.
- Where a limited company is exempt from the obligation to use the word "limited" as part of its registered name, the fact that it is a limited company.
- Where a community interest company is not a public company, the fact that it is a limited company.
- In the case of an investment company (within the meaning of section 833 of the Companies Act 2006), the fact that it is such a company.
- If a company intends to show its share capital, it must show the paid-up share capital.
- If the company is part of a regulated profession for example, solicitors and doctors it must also provide:
 - The details of any professional body or similar institution with which it is registered.
 - The professional title and the member state where that title has been awarded.
 - A reference (ideally through a hyperlink) to the professional rules applicable to the company in the member state where it is established. Where no hyperlink can be provided, the company must explain how such professional rules can be accessed.

**even if the website is not being used for ecommerce transactions*

DATA PROTECTION

Data protection legislation imposes additional obligations on controllers of personal data. A company (and its website) can process personal data in a variety of ways, for example by using IP addresses or when a user contacts it via a “Contact Us” section.

Processing personal data includes the initial collection and storage of data and therefore, in order to be compliant with data protection legislation, it is essential that a company includes the following on its website:

- A **privacy policy** that details **what** personal information the company collects, **how** it collects it, **why** it collects it and what the **lawful basis** is for processing it.

A statement, visible when a user first lands on the website, explaining that **Cookies are used**, and the ability for users to accept or reject any “non-essential” cookies without hindering their user experience. It is important the company is able to demonstrate a consent mechanism for non-essential cookies, in particular, tracking cookies.

- A policy that indicates what **cookies** the website uses, what those cookies do and how long they are stored on a user’s device.

If a company intends to send **direct marketing** i.e. via email, to users of its website, it must first acquire consent. This consent must be freely given and requires affirmative action. For example, ticking a box (it is not enough if the box is ticked by default).

CONTEXT SPECIFIC INFORMATION

Disclaimer:

Whilst not essential, it is good practice to include a **disclaimer** stipulating how users can use the information on the website, and what liability (if any) the company accepts. This can be part of the privacy policy.

Modern Slavery:

The Modern Slavery Act 2015 requires any “commercial organisation” having a global turnover of £36 million or more to publish a slavery and human trafficking statement for each financial year that ends on or after 31 March 2016. If the organisation has a website, it must publish the statement on that website and include a link to the statement in a prominent place on its homepage.

Insolvency:

If the company is in financial difficulty it must also provide:

- Where a receiver or manager has been appointed, a statement to that effect.
- Where a moratorium is in force, a statement that effect and the nominee’s name.
- While a company is in administration, a statement of the name of the administrator and that the affairs, business and property of the company are being managed by them.
- Where the company is being wound up (whether voluntarily or by the court), a statement that it is being wound up.

These are only the bare essentials; companies selling goods or services online or otherwise contracting via their website have additional obligations. For further advice, please get in touch.

www.taylorvinters.com

Taylor Vinters 
Part of the Mishcon de Reya Group

Taylor Vinters is a trading name of Mishcon de Reya LLP. Mishcon de Reya LLP is a limited liability partnership registered in England and Wales with number OC399969 and is authorised and regulated by the Solicitors Regulation Authority under SRA number 624547. A list of members is available from its registered office: Africa House, 70 Kingsway, London, WC2B 6AH

January 2023