

## **PRIVACY NOTICE**

### **Our Privacy Policy**

In accordance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR), this Data & Privacy Notice explains, in detail, the types of personal data we may collect about you when you interact with us. It also explains how we'll store and handle that data and keep it safe.

We know that there's a lot of information here, but we want you to be fully informed about your rights, and how our firm uses your data. We hope the following sections will answer any questions you have but if not, please do get in touch with us.

### **Conditions for Processing Data**

We are only entitled to hold and process your data where the law allows us to. The current law on data protection sets out a number of different reasons for which a law firm may collect and process your personal data. These include:

#### ***Contractual obligations***

The main purpose for our holding your data is to provide you with legal services under the agreement we have with you. This agreement is a contract between us and the law allows us to process your data for the purposes of performing a contract (or for the steps necessary to enter in to a contract). We may also need to process your data to meet our contractual obligations to the Legal Aid Agency where you receive legal aid to fund your case or advice.

#### ***Legitimate Interests***

In specific situations, we require your data to pursue our legitimate interests in a way which might reasonably be expected as part of running our business and which does not materially impact your rights, freedom or interests. This may include to satisfy our external quality auditors or our Regulators.

#### ***Legal compliance***

If the law requires us to, we may need to collect and process your data. For example, we can pass on details of people involved in fraud or other criminal activity.

#### ***Consent***

In some situations, we could collect and process your data with consent. For example, we may ask your permission to send you marketing emails. If this circumstance does ever arise, we would always ask for your consent and make it clear to you which data is necessary in connection with that particular service.

### **When do we collect your data?**

We normally collect your data when you provide it to us or when it is provided to us by others (your opponent's solicitors for example) during your case. You may give us your data by email; through an online web form; over the telephone; face to face; or by post.

### **What sort of data do we collect?**

We collect your name and contact details. This may include asking for and keeping a copy of your passport/driving licence and proof of address.

We may gather details such as your age; ethnicity; gender. We may also gather financial information from you.

We also collect and hold information about your case.

### **How do we use your data?**

We only use your data for the purpose of providing you with legal advice, assistance and where appropriate, representation and for reasons directly associated with those services (i.e. providing information to quality auditors; the Legal Aid Agency etc.).

In some situations we may use your data to notify you of our other services but only where we have your consent to do so.

### **How do we protect your data?**

We take protecting your data very seriously. The data you give us may be subject to Legal Professional Privilege and is often extremely sensitive and confidential.

With this in mind we will treat your data with the utmost care and take all appropriate steps to protect it. We have clear data protection and information security policies and procedures in place (along with regulatory and other legal obligations to keep your data safe) and these are regularly assessed as part of our quality standards and compliance processes.

We protect our IT system from Cyber Attack. Access to your personal data is password-protected, and sensitive data is secured by encryption.

We regularly monitor our system for possible vulnerabilities, attacks and to identify ways to further strengthen security.

### **How long will we keep your data?**

We only keep your data for as long as is necessary for the purpose(s) for which it was provided. Normally this is for 6 years after your case or matter ends. This is because we are required to keep client files for that period by the Solicitors Regulation Authority.

For some cases we may decide that it is proper and appropriate to keep data for longer than 6 years. You will be advised in the file closing letter of the exact period the data will be retained by us.

Data in respect of enquiries where we do not take on a case is kept for a maximum period of 18 months.

### **Who do we share your personal data with?**

We sometimes share your personal data with trusted third parties. We only do this where it is necessary for providing you with legal services or for the effective operation of our legal practice.

For example, we may share your data with barristers; experts; translators; costs draftsmen; process servers; secure file storage and destruction companies; auditors; external IT support companies, however, we ensure the following measures are applied to keep your data safe and protect your privacy:

- We provide only the information they need to perform their specific services.
- They may only use your data for the exact purposes we specify in our contract with them.
- We work closely with them to ensure that your privacy is respected and protected at all times.
- If we stop using their services, any of your data held by them will either be deleted or rendered anonymous.

### **Where is your data processed?**

Your data is stored and processed within the European Economic Area (EEA). If we ever have to share your personal data with third parties and suppliers outside the EEA we will seek your specific consent to do so.

The EEA includes all EU Member countries as well as Iceland, Liechtenstein and Norway.

### **What are your rights?**

You have rights under the General Data Protection Regulation and these include the right to be informed what information we hold about you. Under certain circumstances, you have the right to:

- request access to the personal data we hold about you
- request the correction of your personal data when incorrect, out of date or incomplete
- request that we stop any consent-based processing of personal data after consent has been withdrawn
- object to processing of your personal data where we are relying on a legitimate overriding interest
- request erasure of your personal data once the purpose for which we hold the data has come to an end

You also have the right to request a copy of any information about you that we hold at any time.

You will not have to pay a fee to access your personal data or to exercise any of the other rights. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **Contact Details**

If you need to exercise any of your rights, the person in this firm responsible for data protection is our Data Protection Officer, Victoria de-Mel and enquires and requests can be sent to her in writing to our Head Office at 12 Richmond Terrace, Blackburn BB1 7BG.

### **Your right to withdraw consent**

Where you have given us consent to use your personal data, you have the right to change your mind and withdraw this consent at any time.

### **Where we rely on our legitimate interest**

In cases where we are processing your personal data on the basis of our legitimate interest, you can ask us to stop for reasons connected to your individual situation. We must then do so unless we believe we have a legitimate overriding reason to continue processing your personal data.

### **Cookies**

We use session cookies on our website. No data is captured or held and you may disable cookies without affecting the use of our website

### **Links to other websites**

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this policy. You should exercise caution and look at the privacy statement or policy applicable to the website in question.

### **The Regulator**

If you feel that your data has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

You can contact them by calling [0303 123 1113](tel:03031231113) or alternatively go online to [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns) (this will open in a new window; please note we can't be responsible for the content of external websites)