

SMALLEYS SOLICITORS

PRIVACY NOTICE

Who are we?

Smalleys Solicitors is a Limited Company and is regulated by the Solicitors Regulation Authority (SRA) No 639164. Our address is 2a Cross Street Arnold Nottingham NG5 7BL. We ask that you read this Privacy Notice carefully as it explains how we collect, use and disclose your personal data and your rights in relation to the personal data that we hold. Personal data is information relating to you as a living identifiable individual. We respect individuals' rights to privacy and to the protection of personal data.

Smalleys Solicitors is a data controller of the personal data you provide to us and our use of your personal data is regulated under the General Data Protection Regulation (GDPR) which applies across the European Union. Our use of your personal data is also subject to our professional duties and your instructions to us.

Our Privacy Officer is Miss Marcia Petcher who can be contacted by email – marcia.petcher@smalleysolicitors.co.uk or by telephoning our main office number on 0115 9556555.

The information we use and where we get it from

We collect and process various categories of personal data at the start of, and for the duration of, the provision of our services to you. Most of the information will have been provided by you. By providing us with your personal data you consent to our use of the data as set out in this Privacy Notice. It is important that your personal data is accurate therefore please keep us informed if any personal information changes during the course of the provision of our services to you. We will limit the collection and processing of information to that which is necessary to represent you and carry out your legal work. Failure to provide the information may prevent us from providing you with our services and performing the contract we have entered into with you. Personal information may include:-

- Your name, address, date of birth and telephone number
- Information to enable us to check your identity
- Email address
- Gender
- Bank account details (i.e. to forward monies to you to pay an inheritance or on a conveyancing matter)
- Your National Insurance number
- Information about your family, marital status, dependents, personal wealth, income and pension arrangements for example if you instruct us in relation to a matrimonial matter or to prepare a Will for you
- Information to assess whether you may represent a politically exposed person or money laundering risk

We may also collect information from other sources including:-

- A third party with your consent i.e. other professionals we engage with in relation to your matter
- From publicly accessible sources i.e. HM Land Registry, HM Probate Registry, Companies House, Credit reference agencies

The purposes and legal basis for processing your personal data

The primary legal basis for processing your personal data is to provide you with our services. The following are some examples of what we may use your information for:-

- Verifying your identity
- Dealing with your enquiry and providing you with a quotation
- Providing you with advice
- Entering into a contract with you and performing our contract once a contract has been entered into
- Seeking advice from third parties
- To establish funding of your matter or transaction
- To comply with our legal and regulatory obligations i.e. registering a property purchase at HM Land Registry, registering a Lasting Power of Attorney with the Office of the Public Guardian, sending a divorce petition to the Court
- To comply with our legal, accounting and reporting obligations to the SRA and other regulatory bodies

Who will we share your information with

We will not sell or rent your information to third parties including for marketing purposes. We have a strict data protection regime in place. There may be circumstances in carrying out your legal work where we may need to disclose some information to third parties for example:-

- HM Land Registry to register a property
- Where we need to undertake bankruptcy searches
- HM Revenue and Customs
- Your GP i.e. when obtaining a medical certificate
- Your mortgage provider
- Court
- Office of the Public Guardian
- Deputy Bond Services
- Solicitors acting on the other side
- A Barrister or Counsel
- Non legal experts
- Translation agencies
- External auditors
- Our bank
- Our insurers
- Financial advisors (with consent)
- Off site archiving and storage facilities
- Confidential waste disposers
- IT services

We will share personal data with law enforcement agencies if required to do so by law.

We will only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data in line with our policies. We do not allow third party service providers to use your personal data for their own purposes. We only permit them to process such personal data for specified purposes in accordance with our instructions. To protect the security of our data we do not name the providers of such services in this Privacy Notice. A list of our service providers is available upon written request but we do reserve the right to withhold the details of our service providers.

Transfer of your information out of the EEA

Whilst we do not routinely do so, it is sometimes necessary to share your personal data outside the EEA for example if you are based outside the EEA or where there is an international aspect to your matter. These transfers are subject to special rules under European and UK data protection law.

How long will we keep it for

We will not retain your data for longer than is necessary and is retained normally in computer or manual files. Different retention periods apply for different types of data for example:-

- As long as necessary to carry out your legal work
- For a minimum of 6 years from conclusion of the matter
- For the duration of a trust
- Probate matters are normally retained for a period of 9 years unless there is a surviving spouse in which case may be retained until the survivor has died
- Wills and Title Deeds will be kept indefinitely

You will be informed of the retention period upon conclusion of your matter.

Our security

We take all reasonable measures to protect your personal data whilst it is in our care. We have excellent standards of technology and security to protect personally identifiable data from loss, misuse, alteration or destruction. We adopt a high threshold when it comes to confidentiality obligations. We use computer safeguards such as firewalls and data encryption and we enforce physical access to Wills and Title Deed storage.

Use of cookies

Our website uses cookies which are small files saved on your computer that track, save and store information about your interactions and usage of the website. A cookie does not give us access to your computer or any information about you, other than the data you choose to share with us. You can choose to accept or decline cookies. Most web browsers automatically accept cookies but you can usually modify your browser setting to decline cookies if you prefer.

What are your rights?

Under GDPR you are entitled to access your personal data (known as a right to access). If you wish to exercise any of your rights listed below please make the request in writing either to the person dealing with your matter or to Marcia Petcher. A right to access means that you are entitled to a copy of the data we hold for you and not the original documents and not necessarily the entire file. In addition you also have the following rights:-

- The right to rectification – the right to require us to correct any mistakes in your personal data
- The right to be forgotten – the right to require us to delete your personal data in certain circumstances i.e.
 - Where the personal data is no longer necessary in regards to the purpose for which it was originally collected
 - Where consent is relied upon as the lawful basis for holding your data and you withdraw consent
 - Where you object to the processing and there is no overriding legitimate interest for continuing the processing
 - The personal data was unlawfully processed
 - Where you object to the processing for direct marketing purposes
- The right to object – at any time to your personal data being processed for direct marketing including profiling and in certain situations where data is processed based on legitimate interests

- The right to restrict processing – when data is restricted we can store it but not use it and is restricted for example if you contest the accuracy of the data
- Data portability – the right to receive the personal data you provided us with in a structured, commonly used and machine readable format and /or transmit the data to a third party

You will not normally be charged to access your personal information or to exercise any of your other rights but we may charge a reasonable fee if your request for access is clearly unfounded or excessive. We may also refuse to comply with the request in certain circumstances. So that we do not disclose your information to another person who is not entitled to see it we will need to establish your identity when exercising your rights. We will respond to you within one month upon receiving your request.

Should you require any further information as to your rights under the GDPR please see the guidance from the Information Commissioners Office on Individual's Rights under the GDPR.

How to complain

We hope that you are happy with our services and that our Privacy Officer can resolve any issue or complaints that arise. Please get in touch if you have any concerns.

The GDPR gives you the right to lodge a complaint with a supervisory authority, in particular the European Union (or European Economic Area) state where you work, normally live or where the alleged infringement of data protection laws occurred. The UK supervisory authority is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or 0303 123 1113.

Future processing

We do not intend to process your personal information for any reason other than stated within this Privacy Notice. If this changes we will inform you in writing.

Changes to this privacy notice

This Privacy Notice was published on 25th May 2018. We may change this Privacy Notice from time to time.

How to contact us

Please contact Marcia Petcher if you have any questions about this Privacy Notice or about the information we hold about you.

marcia.petcher@smalleyssolicitors.co.uk

Telephone 0115 9556555

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2a Cross Street
Arnold
Nottingham
NG5 7BL

Other formats

If you would like this Notice in another format (i.e. large print, braille) then please contact us.