

QUALITYSOLICITORS LARGE & GIBSON - PRIVACY NOTICE

What is the purpose of this document?

QualitySolicitors Large & Gibson is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you during and after your business relationship with us, in accordance with the General Data Protection Regulation (GDPR).

It applies to all clients and former clients for whom we still hold personal information.

QualitySolicitors Large & Gibson is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice. This notice does not form part of but is supplemental to our contract to provide legal services to you. Your attention is also drawn to the privacy policy published on our website which provides specific information about how we collect use and store information given by the users of our website.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

The kind of information we hold about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection, such as information about a person's health or sexual orientation.

We may collect, store and use the following kinds of personal information:

- (a) Contact information – this is information that we collect in order to maintain contact with you whilst we are acting for you. It will include your full names, residential and (where appropriate) business address, telephone number, fax number, email addresses;
- (b) Compliance & identification information – this will be information you provide to us in order to enable us to verify your identity and address and to enable us to comply with our obligations under regulations introduced to combat fraud and money laundering and information; that we need to provide to other authorities, including the court, Her Majesty's Revenue & Customs ('HMRC') and the Land Registry in order to complete effectively the transaction we are dealing with

for you and to comply with our and your obligations in relation to that transaction. This information may include your date of birth, national insurance number, copies of your passport, driving licence or other photographic identification documentation and copies of utility bills or other official correspondence sent to your address. We may also need to collect details of addresses you have lived at over the past 3 years;

- (c) Transaction information -this is information we collect from you and use to give you the legal advice you have requested or to assist us in carrying forward the claim or transaction you have asked us to deal with on your behalf. The nature and extent of this information will vary according to the nature of the transaction or claim. For instance:
- i. In conveyancing matters, whether commercial or residential, it will include details of the property you are selling and the property you are buying in your existing mortgage and any new mortgage or other funding you are obtaining to complete any purchase; financial details relevant to your purchase; details of your marital status or relationship where you are buying property jointly; details connected with the proposed use of the property by you;
 - ii. In commercial and business matters we will collect information about the transaction you have asked us to deal with, which will often details of your business or company and its director and shareholders including sometimes personal identification and compliance details for the directors and shareholders of your company. If we are selling or buying a business for you, we may also collect details of the employees of your business;
 - iii. If you consult us about your will, power of attorney, the administration of your estate or other private client matters, we may collect from you information about your family, relationships, the assets and liabilities you have including details about your current properties and investments and your financial circumstances generally;
 - iv. In relation to litigation and dispute resolution matters, the information will vary according to the nature of the dispute- for instance in family matters, we may need to collect details of your family relationships and details of your children and we may also need to collect financial details about your assets and liabilities and financial position generally in order to comply with requirements for disclosure; in employment matters, we may need to collect from you details of your current employment including your employment history and disciplinary record. This may include your salary or wages and other benefits; in relation to personal injury claims, we may need to collect information about your medical and health records; in relation to commercial disputes, we may need to collect information about your business or company and its directors and shareholders and members of its staff.
- (d) Accounting & Payment Information - we will collect and store information about the payments you make to us and that others make to us on your behalf and the payments we make to you or others on your behalf; we will collect your bank details for purposes of making payment to you and we may also retain these details, in case it is necessary to refund the balance to you at the end of the transaction. If you make payment by debit or credit card, we will keep a record of that payment, although we do not collect or retain any details of your card, or account number, or security code. These may be collected and retained by the bank or payment service provider.
- (e) Website information – this will include information about your computer and about your visits to or use of our website including your IP address, search terms, geographical location, browser type and version, operating system, referral source length of visit page, views and website navigation paths and other information relevant to your use of our website and the services provided in connection with our website. Further information about the data we collect in this way is set out on the privacy policy that is published on our website.

This summarises the main categories of data and information we may collect store and use, but there may be other information and data which we collect where it is particularly relevant to the advice we are giving to you or the transaction or claim we are dealing with for you.

Special categories of data

We will not generally collect information from you that falls within the special categories of more sensitive personal data which require a higher level of protection and either specific consent or specific grounds to process. This includes information about your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, bio-metric data, data concerning your health and data concerning your sex life or sexual orientation. We will only collect this type of information from you, if it is specifically relevant to the claim or transaction which we are dealing with for you. In particular, information of this kind may be relevant to: advice concerning your will or power of attorney where information concerning your health and personal relationships may be needed; advice about divorce, separation and other family matters; advice about employment and/or discrimination claims and claims for personal injury. We will collect this information only with your consent. We will hold it and use it only where it is necessary for the establishment exercise or defence of legal claims on your behalf. We will take extra precautions to safeguard this information and will only share it with those that have an absolute need to know in order to assist us in establishing your claim, such as a barrister or other advocate we employ to act on your behalf or any expert witness we engage to provide evidence to the court.

Although criminal convictions and offences are not classified as special categories of personal data, there are safeguards in connection with the processing of data relating to criminal convictions and offences. We will only collect data from you relating to your criminal convictions and offences with your consent and where it is specifically required in order to carry forward effectively the claim that you have asked us to advise about.

If you require any further information about the steps we take to protect the security of any special categories of personal data or information relating to criminal convictions and offences, please contact us.

How is your personal information collected?

We collect personal information from you throughout your dealings with us through our website, phone calls, emails or in person. We may ask you to complete a Personal Details Questionnaire or similar form setting out personal information of the kind mentioned in this notice, particularly contact information and compliance and identification information. We may receive information about you from other sources. We may combine this information with information you give to us and information we collect about you. We may use this information and the combined information for the purposes set out in this notice. We will take reasonable steps to verify with you the information collected about you from third parties, but if you notice any inaccuracy with data supplied to us by a third party, please let us know as soon as possible. We do not at present routinely record phone calls, but we may record phone calls for the purpose of staff training, mitigation of disputes and to record the collection of consent from data subjects.

We may be provided with information about you from the QualitySolicitors head office. This is usually limited to your name and contact information and brief details of the matter about which you require advice. If you are referred to us by an estate agent, financial advisor or other connection of the firm, you will receive from those referrers contact and identification information about you and details of the proposed transaction.

How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not

override those interests.

4. Where we have your consent.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

Situations in which we will use your personal information

Generally, we will only use the personal information that you provide to us for the purpose of carrying out the services which we have contracted to provide to you; to advise you about and, where appropriate, to take appropriate court or other dispute resolution proceedings and to settle or resolve any claim about which you have consulted us or to carry forward and complete effectively the transaction about which you have consulted us.

This will include sending you information about the progress of your claims or transaction, taking other steps to enable you to use and benefit from our services effectively, sending you payments, statements, invoices and payment reminders; collecting from you payments and making payments to you and others and processing and recording such payments, dealing with enquiries from you and others about the transaction.

In doing so, we will also need to use some of the personal information you have provided in order to comply with our legal obligations, for instance our obligations to the court or to take steps to protect against fraud or money laundering and to effectively report and record the transaction with the appropriate authorities such as HMRC or the Land Registry.

Legitimate Interest

We may also use your personal information for other purposes where it is necessary for our legitimate interest or the legitimate interests of the QualitySolicitors network provided your interests and/or fundamental rights do not override those interests. This may, for example, providing to QualitySolicitors head office information necessary to enable them to monitor the quality of the service being provided and to contact you for the purposes of assessing quality of service and to deal with any enquiries or complaints and to confirm that we have contacted you following the enquiry referred to us by QualitySolicitors head office and to confirm the progress made and whether you have instructed us following that enquiry.

We may also use your personal information to communicate with you about other services we offer which may be particularly relevant to you in light of the reasons you have contacted us or the transaction or claim we have undertaken for you. For instance, if you have recently purchased a property or business we may contact you about making a will or if you have purchased in your joint names preparing a declaration of trust to record the terms in which you own the property jointly. Similarly, if you have recently instructed us about a divorce or separation which might impact on the validity of an existing wills or other document or make it inappropriate to your new circumstances, we may communicate with you about making a new will or similar services. We may also contact you to invite you to seminars or other events which may be particularly relevant to you having regard to the transaction or claim about which you have consulted us or the nature of your business.

We may periodically contact you to check whether it may be helpful if we review or update the advice given to you, particularly, for instance, where you have made a will or power of attorney with us or if we acted for you on the grant of a lease or licence and the period of that lease or licence may be coming to an end or need renewal. These are not the only examples and there may be other circumstances in which it is in our legitimate interest to contact you about other services we can offer or other events or information which may be relevant to you specifically. We do not need your consent in these circumstances, but if, at any stage, you would prefer not to receive these communications from us please contact the Data Protection Manager in writing.

Consent

In addition we may wish to send you periodically information newsletters and updates about this firm, the services we offer and provide you with details of events that we are providing to clients and business contacts generally. We would like to keep you up to date in this way, but we will only do so if you give us consent to do that.

We may also wish to share your information with QualitySolicitors who may contact you in relation to offers and promotions of legal services, newsletters, help or other legal guidance or information promoted or available through the QualitySolicitors network nationwide. We will only provide your details to QualitySolicitors for these purposes if you have given us your consent to do so.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are only allowed to use automated decision-making in very limited circumstances and subject to certain safeguards.

We do not use any automated decision making processes or profile you based on the data you provide. We will notify you in writing if this position changes.

Data sharing

Why might you disclose my personal information to others?

We will only disclose your personal information where required by law, where it is necessary to carry out our contract with you or to carry forward the claim or transaction about which you have sought our advice or where we have another legitimate interest in doing so. This will include, for example, where it is necessary in order to establish, exercise or defend our or your legal rights; providing information to others for the purposes of fraud prevention or reducing credit risk and disclosure to any person who we reasonably believe may apply to a court or other competent authority for disclosure of that personal information where, in our reasonable opinion, such court or authority would be reasonably likely to order disclosure of that personal information. We may also share that personal information with third party service providers who we use to carry out our obligations under our contract with you or to comply with our legal obligations. All our third-party service providers are subject to a duty of confidentiality and are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may share your personal information with other third parties where it is reasonable to do so to carry out the transaction or claim about which you have sought advice. In particular, your information may be shared with:

- a) your mortgage lender or other finance provider, other parties to the transaction and other solicitors acting for them where it is appropriate and with other persons who you or we ask to advise or assist you in relation to the transaction, for instance an accountant or financial advisor or a barrister or other specialist we have engaged to assist with your claim or any expert witness;
- b) third party search or service providers who will carry out checks to comply with our obligations to combat fraud and money-laundering;

- c) other authorities where it is appropriate to do so in connection with the transaction or claim, for instance the court or a mediator, HMRC or the Land Registry or other similar authorities;
- d) QualitySolicitors head office who may use it for quality control and audit purposes as set out in this notice;
- e) QualitySolicitors network for marketing purposes, but only where we have your consent to do so;
- f) our regulators or other relevant authorities where it is necessary to comply with our legal obligations or they would be able to obtain and order a disclosure against us of the kind referred to above;
- g) our auditors or other persons engaged to carry out any check or audit the way we do business, for instance to ensure continuing quality of service or compliance with legal obligations.

Our website uses cookies and trackers that enable us to administer the website to personalise it for your use and to provide services through the website. This means that we share your data with advertisers and advertising networks for the purpose of selecting and serving relevant adverts to you and others (more information can be found here <http://www.atlasconsortium.info/cookies>) and analytics and search engine provider that assist us with the improvement and optimisation of our site. Full details of the cookies and trackers used on the website are set out in the privacy policy that is published on the website and it also includes information about how you can block cookies.

Unfortunately it is impossible to provide a completely exhaustive list of third parties who may have access to your data, but access will only be given on the principles set out in this notice and for the purposes of the kind referred to in this notice. If you have any concerns at any time about your data being disclosed to a particular third party or how that third party is dealing with your data, please contact us.

Transferring information outside the EU

We do not transfer any personal data outside of the EU unless you specifically request us to do so. Should this requirement change then we will contact you again to obtain explicit consent to these transfers. If you request us at any time to transfer your personal data outside the EU, we will take reasonable steps to establish that you will get a similar degree of protection in respect of any personal information held outside the EU.

Data security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Details of these measures may be obtained from the Data Protection Manager.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

You acknowledge that the transmission of information over the internet is inherently insecure and that we can't guarantee the security of data sent over the internet. We would strongly recommend that we do not transfer special categories of personal information or other identification or payment or accounting information over the internet and will only do so if you explicitly ask us to do that or if we have reason to believe that it is otherwise in your best interest to do that. This is particularly important where the person to whom we are sending communications is located outside the EU.

Data retention

How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements and complying with any regulations that are applicable to retention of your data.

The period for which your data is retained will vary according to the type of data and the nature of the transaction or claim about which you have instructed us. We will usually keep your data for a minimum of six years from completion of the transaction or

adjudication or settlement of the claim. If the matter about which you instructed us becomes abortive, we may keep your information for a shorter period, usually for a minimum of three years.

We may keep your data for a much longer period depending on the nature of the transaction or claim. Details of the periods for which your data may be kept are available in our retention policy, which is available from the Data Protection Manager. To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. We will retain and destroy securely your personal information in accordance with our data retention policy and the applicable laws and regulations.

The identification and compliance information that we collect from you in order to comply with regulations to combat fraud and money laundering are usually kept for a minimum of six years from the end of our business relationship but may be kept for longer. In particular, copies of the information may be kept with our files relating to particular transactions or matters in which case they will be stored with those files for the minimum period set out in our retention policy.

Third party websites

Our website includes hyper-links to and details of third party websites. We have no control over and are not responsible for the privacy policies and practices of third parties, if you register with them independently. If you follow any link to any of these websites, please note that these websites have their own privacy policies and we do not accept any responsibility or liability for these policies.

Rights of access, correction, erasure, and restriction

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes whilst we are acting for you.

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Manager in writing.

No fee usually required

You will not have to pay a fee to access your personal information (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.

Timing of our response

We will respond to your request as quickly as possible, and usually within one month of receiving the request. If we cannot respond within that time period, we will notify you of the need to extend the response time and explain the reason for the delay. The law permits us to extend the response to up to two additional months where it is necessary.

If we do not take action on your request, we will notify you within one month after receiving the request of the reasons why we did not take action and your rights to challenge that position.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Manager. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law. You must be aware that if you withdraw consent to the processing of your information, it may be necessary for us to terminate our contract with you as we may be unable to continue providing the advice you have requested or dealing with the claim or transaction about which you have instructed us, if we are unable to process your information.

Data Protection Manager

We have appointed a Data Protection Manager to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the Data Protection Manager. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time and, if we do so, we will provide you with an updated copy of this notice as soon as reasonably practical, if we are acting for you on a current matter when the change is brought into effect. We will not notify you automatically if we are no longer acting for you, unless the changes to the notice make significant changes to the way we store any information we have retained about you.

We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact the Data Protection Manager in writing at QualitySolicitors Large & Gibson, Kent House, 49 Kent Road, Southsea, Hampshire PO5 3EJ or by email to the Office Manager at this address lindy.vinue@largeandgibson.co.uk.