

Prettys Solicitors LLP

Privacy Information Notice for Clients

Introduction

Prettys Solicitors LLP is a data controller. This means that we are responsible for deciding how we hold and use personal information about you. We are committed to protecting the privacy and security of your personal information, and this Privacy Information Notice (PIN), describes how we collect and use personal information about you, both during and after your relationship with us. This information is provided in accordance with the UK General Data Protection Regulation (UK GDPR).

This PIN applies to current and former clients as well as prospective clients. Although we have a number of corporate clients, we do not anticipate the data that we collect in relation to those corporate clients to be personal data. However, we anticipate that we may collect limited data about some individuals within those corporate clients, for example such as partners, directors, trustees, beneficial owners and managers who may give us instructions, or otherwise be involved in matters where we are instructed by the company. This notice therefore also applies to those individuals. This PIN does not form part of any contract with you and we may update this notice at any time.

The Data Protection Principles

The UK GDPR provides that the personal information that we collect and hold about you must be:

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

Personal data, or personal information, is 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).

Certain types of personal data are more sensitive, and require greater protection. This includes information about a person's health or sexual orientation (this is known as "special category data") and information about criminal convictions.

The information we hold about you

We may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.

- Date of birth.
- Gender.
- Marital status and dependants.
- Bank account details.
- Your billing history, and financial history with us.
- Your credit history.
- Your driving licence and passport details.
- Your testimonials and feedback.
- Photographs that we may take of you at our events with your permission.

In addition, the nature of our business means that we may collect a significant amount of other personal information about you or those connected with you for the purposes of advising you or representing you. The nature of this personal data is too wide for us to do anything other than give examples, but these examples would include:

- Where we are acting for you in a dispute, details of your relationships with other parties; details relating to particular facts or circumstances relevant to the dispute, and details of your intentions relating to the outcome of that dispute.
- Where we are acting for you in the purchase of a property, details of your property, including its value and state of repair, details of your mortgage provider, and how you are financing the purchase, together with details of your bank, and the identities of various other providers of services to you, such as your insurer, independent financial adviser etc.
- Where we are acting for you in preparing a will, then we will process information about your family members, your assets and your wishes for your funeral.
- Where we are acting for you in a personal injury claim then we will have information relating to your medical history, the nature of your injuries, your job and your attitude towards the dispute.

If you are involved in a matter because you are connected with a company or other organisation that is our client, then we will only process personal information about you to the extent that it is relevant to our instructions. Typically this will involve keeping a record of your work contact details, and position within the organisation. In some circumstances, such as where we are acting for a company in a dispute, then we may also need to process personal information relating to your involvement with that dispute. This may include information about your work history, your expertise and your involvement in, or recollection of, certain relevant situations or facts.

Sometimes the nature of our relationship with you may mean that we need to process what is known as “special category” data about you. This is covered below.

How do we collect your personal information?

We typically collect personal information about clients and prospective clients directly from them. We may sometimes collect additional information from third parties including:

- Credit reference agencies
- Companies House
- The Land Registry
- Conveyancing service providers, including Legal Marketing Services Limited.
- Other professional advisers, such as independent financial advisors or medical experts
- The other parties (or their representatives) in disputes or transactions
- Government agencies, such as HMRC
- Panel management systems for conveyancing services, including Lender Exchange.

How do we use your personal information?

The UK GDPR only allows us to use personal information for specific reasons. Most commonly, we will use your personal information:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.
- 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.

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

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest or for official purposes. In other situations, we may need your consent.

We will need to use the categories of information set out in the list above in the following circumstances. We have identified the lawful basis we intend to rely on in each case in order to process your personal data:

Where we need the information primarily to allow us to perform our <u>contract</u> with you	Where we need the information to enable us to comply with our <u>legal obligations</u>	Where we need to use the information to pursue <u>legitimate interests</u> of our own, or those of third parties, provided that your interests and fundamental rights do not override those interests
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Processing the contract that we have entered into in respect of our services. This will involve taking your name and address, taking full details of the matter about which you have sought our advice, setting out how we work and agreeing fees with you.	Undertaking routine “Know Your Client” checks. This may include a credit reference check (which we use for both money laundering compliance purposes and to assess your credit worthiness, so that we can assess whether to require money on account of our fees) and/or an identity check.	Contacting you to inform you of other products and services you might be interested in.
Fulfilling your instructions.		Sharing your personal data with our webinar service provider either where you have registered for an event or to invite you to an event that we are hosting that we think may be of interest to you.
Liaising with you in relation to any issues or problems.		Where you have registered to attend one of our external events, such as a seminar, we may take photos of attendees with their permission. Photographs of attendees may be uploaded to graphic design platforms for editing purposes. These images may be used by us for marketing purposes.

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 do not provide us with certain information when requested, we may not be able to perform the contract that we have with you, or we may be prevented from complying with our legal obligations.

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.

How we use particularly sensitive personal information

Special categories of personal data require higher levels of protection, and we need to have further justification to collect, store and use this type of personal information

We will only process “Special Category” data where we need to do so for the purposes of fulfilling your instructions, or because of a professional obligation that we owe as a result of you having instructed us. Where we do process special category data we usually only do so for the purposes of establishing,

exercising or defending legal claims, or where we need it because our instructions involve your rights or obligations in employment, social security or social protection law.

For example:

- If we are representing you in a personal injury claim then we will need to establish the nature and extent of your injuries, which will involve us processing data about your health.
- If we are advising you on a matter involving your will, then we will have to record any issues relating to mental capacity, which relates to social protection law.
- If we are representing you in a dispute about the breakdown of a relationship then we may need to record details relating to your health or your sex life.

We take our obligations to keep such personal information confidential extremely seriously, and if you ever have any concerns as to the nature of the personal information you may need to share with us then please do discuss this with us.

Data Sharing

We may have to share your data with third parties including third-party service providers, other professional advisers, auditors, contractors, legal and regulatory bodies, government agencies (including Companies House and HMRC), law enforcement agencies and designated agents, where it is required by law, where it is necessary to administer our contract with you or where we have another legitimate interest in doing so. We require third parties to respect the security of your data and to treat it in accordance with the law. We may also transfer your information outside of the UK.

All our third-party service providers 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.

Specifically, we may share your personal information with other third parties who are involved in fulfilling your instructions. This may mean barristers who we instruct, or other experts, such as surveyors, IFAs, accountants or medical experts.

We may also need to share your personal information with any other party, or their solicitors. We will only do so with your specific consent, or where we are required to do so by law.

There may be occasions where we are under a legal obligation to share your personal information with the courts, regulatory authorities, regulatory bodies, government agencies including Companies House and HMRC and law enforcement agencies. We will usually do so only with your specific consent, or where we are required to do so by law.

Finally, we use a select group of third party service providers to enable us to provide services to you. In particular:

- Our IT services are provided by Strategic Network Consulting Limited (www.method-it.co.uk) ("SNC"). Over the past few years SNC have helped us develop an extremely secure and robust IT

infrastructure, so as to protect client data. They do have access to that data for the purposes of ensuring that our systems are properly maintained and backed up.

- Risk and compliance support is provided to us by Riliance, now part of the Access Group (<https://www.theaccessgroup.com/en-gb/compliance/>).
- Our confidential waste disposal and file storage is provided by Restore Plc (www.restore.co.uk).
- Our credit checks and ID/money laundering checks are run through [Creditsafe](#) and [SmartSearch](#) respectively.
- Where you instruct us to act for you in the purchase of a property, we may use Lender Exchange who are managed by Decision First (<https://www.lenderexchange.co.uk/>) and Legal Marketing Services Limited's (LMS) (<https://corporate.lms.com/>) in order to access documents in order to carry out your instructions.
- We use Mailchimp (www.mailchimp.com) and Jotform (<https://www.jotform.com/>) to manage and administer our mailing lists, which we use to send out invitations to events, legal bulletins etc. Jotform will store your data for up to 30 days, after which it will be deleted. We also use ClickMeeting (<https://clickmeeting.com/>) to deliver and host webinars and Eventbrite (<https://www.eventbrite.co.uk/>) to send out invitations to our events and to monitor attendance.
- We use Canva (https://www.canva.com/en_gb/), CapCut (<https://www.capcut.com/>) and Linktree (<https://linktr.ee/>) to create, edit and deliver marketing materials. These marketing materials may include photographs of our clients and attendees at our external events which may be uploaded to our website or our social media platforms.

We may also share personal information with our quality assessors, with our regulators and with our insurers. In particular:

- We have attained the Law Society's Lexcel quality mark. Lexcel ensures that we are worthy of that mark by auditing aspects of our practice each year. As a feature of this audit they will select a handful of client files and review those so as to assess the standard of our client service. Clients who do not wish to have their files audited can inform us accordingly, in which case their files will not be disclosed.
- We are audited each year by our accountants, for the purposes of ensuring that we are complying with the Solicitors Accounts Rules. This involves our accountants having access to both files and financial ledgers for the purposes of being able to certify our compliance.
- We are regulated by the Solicitors Regulation Authority, who may require access to our premises and records for the purposes of ensuring compliance with our professional obligations.
- If a complaint is made against us then the Legal Ombudsman may become involved, in which case we will be required to share the relevant client file with them for the purposes of their determination of the complaint.

- Our insurers may require access to our files, so as to assist us with claims or to assess premiums and terms for insurance renewals.

Transferring information outside the UK

In some cases, we may wish to transfer personal data across international borders because we use, or may use, external service providers in other jurisdictions and personal data therefore needs to be transferred for the performance of the services. We can only transfer this data in certain circumstances.

Currently we only transfer data to Mailchimp, who are based in the US, to ClickMeeting who are based in Poland, to Canva who are based in the US, to CapCut who are based in China (but who store and process data in the Singapore and the US), to Jotform and Eventbrite who are based in the US and to Linktree who are based in Australia. To ensure that your personal information receives an adequate level of protection there are appropriate measures in place to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the UK laws on data protection. This includes, for example, the use of the UK approved standard contractual clauses. Please contact us for further information.

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. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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.

Data retention

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. 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.

Rights of access, correction, erasure, and restriction

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

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. You will not have to pay a fee to access your personal information. 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.
- **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 exercise any of your rights in relation to your personal data, please contact us at compliance@prettys.co.uk.

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).

Right to withdraw consent

If you have provided your consent to us processing your personal information for a specific situation, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact us at compliance@prettys.co.uk. Once you have told us 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.

Data Protection Compliance

We have appointed a Data Privacy 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 privacy head at compliance@prettys.co.uk. 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.

If you have any questions about this privacy notice, please contact our Data Privacy Manager by emailing compliance@prettys.co.uk.