# PRIVACY POLICY

We take your privacy very seriously. Please read this privacy policy carefully as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

When we use your personal data we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal data for the purposes of the GDPR. Our use of your personal data is subject to your instructions, the GDPR, other relevant UK and EU legislation and our professional duty of confidentiality.

## Key terms

It would be helpful to start by explaining some key terms used in this policy:

| | |
|---|---|
| We, us, our | Peter Maughan & Co Ltd |
| Our data protection officer | **Peter Maughan**<br>**Email pjm@petermaughanlaw.com** |
| Personal data | Any information relating to an identified or identifiable individual |
| Special category personal data | Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership<br>Genetic and biometric data<br>Data concerning health, sex life or sexual orientation |

## Personal data we collect about you

The table below sets out the personal data we will or may collect in the course of advising and/or acting for you.

| **Personal data we will collect** | **Personal data we may collect depending on why you have instructed us** |
|---|---|
| Your name, address and telephone number<br>Information to enable us to check and verify your identity, e.g. your date of birth or passport details<br>Electronic contact details, e.g. your email address and mobile phone number<br>Information relating to the matter in which you are seeking our advice or representation | Your National Insurance and tax details<br>Your bank and/or building society details<br>Details of your professional online presence, e.g. LinkedIn profile<br>Details of your spouse/partner and dependants or other family members, e.g. if you instruct us on a family matter or a will.<br>Your employment status and details including salary and benefits, e.g. if you instruct us on matter related to your employment or in which your employment status or income is relevant. |

| **Personal data we will collect** | **Personal data we may collect depending on why you have instructed us** |
|---|---|
| Information to enable us to undertake a credit or other financial checks on you<br><br>Your financial details so far as relevant to your instructions, e.g. the source of your funds if you are instructing on a purchase transaction<br><br>Information about your use of our IT, communication and other systems, and other monitoring information, e.g. if using our secure online client portal **after it is set up.** | Your nationality and immigration status and information from related documents, such as your passport or other identification, and immigration information, e.g. if you instruct us on an immigration matter.<br><br>Details of your pension arrangements, e.g. if you instruct us on a pension matter or in relation to financial arrangements following breakdown of a relationship<br><br>Your employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances (including relevant special category personal data), e.g. if you instruct us on matter related to your employment or in which your employment records are relevant**.**<br><br>Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs, e.g. if you instruct us on discrimination claim**.**<br><br>Personal identifying information, such as your eye colour or your parents' names, e.g. if you instruct us to incorporate a company for you**.**<br><br>Your medical records, e.g. if we are acting for you in a personal injury claim |

This personal data is required to enable us to provide our service to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

# How your personal data is collected

We collect most of this information from you direct. However, we may also collect information:

- from publicly accessible sources, e.g. Companies House or HM Land Registry;
- directly from a third party, e.g.:
  - sanctions screening providers;
  - credit reference agencies;
  - client due diligence providers;
- from a third party with your consent, e.g.:
  - your bank or building society, another financial institution or advisor;
  - consultants and other professionals we may engage in relation to your matter;
  - your employer and/or trade union, professional body or pension administrators;
  - your doctors, medical and occupational health professionals;
- via our website—we use cookies on our website (for more information on cookies, please ask for our cookies policy)

- via our information technology (IT) systems, e.g.:
  - case management, document management and time recording systems;
  - reception logs;
  - automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, email and instant messaging systems (if applicable);

## How and why we use your personal data

Under data protection law, we can only use your personal data if we have a proper reason for doing so, e.g.:

- to comply with our legal and regulatory obligations;
- for the performance of our contract with you or to take steps at your request before entering into a contract;
- for our legitimate interests or those of a third party; or
- where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your personal data for and our reasons for doing so:

| **What we use your personal data for** | **Our reasons** |
|---|---|
| To provide legal services to you | For the performance of our contract with you or to take steps at your request before entering into a contract |
| Conducting checks to identify our clients and verify their identity<br>Screening for financial and other sanctions or embargoes<br>Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health and safety regulation or rules issued by our professional regulator | To comply with our legal and regulatory obligations |
| Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies | To comply with our legal and regulatory obligations |
| Ensuring business policies are adhered to, e.g. policies covering security and internet use | For our legitimate interests or those of a third party, i.e. to make sure we are following our own internal procedures so we can deliver the best service to you |
| Operational reasons, such as improving efficiency, training and quality control | For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we |

| What we use your personal data for | Our reasons |
|---|---|
| | can delivery the best service for you at the best price |
| Ensuring the confidentiality of commercially sensitive information | For our legitimate interests or those of a third party, i.e. to protect our intellectual property and other commercially valuable information<br>To comply with our legal and regulatory obligations |
| Statistical analysis to help us manage our practice, e.g. in relation to our financial performance, client base, work type or other efficiency measures**.** | For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can delivery the best service for you at the best price |
| Preventing unauthorised access and modifications to systems | For our legitimate interests or those of a third party, i.e. to prevent and detect criminal activity that could be damaging for us and for you<br>To comply with our legal and regulatory obligations |
| Updating and enhancing client records | For the performance of our contract with you or to take steps at your request before entering into a contract<br>To comply with our legal and regulatory obligations<br>For our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our clients about existing and new services |
| Statutory returns | To comply with our legal and regulatory obligations |
| Ensuring safe working practices, staff administration and assessments | To comply with our legal and regulatory obligations<br>For our legitimate interests or those of a third party, e.g. to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you |
| Marketing our services to:<br>—existing and former clients;<br>—third parties who have previously expressed an interest in our services;<br>—third parties with whom we have had no previous dealings. | For our legitimate interests or those of a third party, i.e. to promote our business to existing and former clients |

| What we use your personal data for | Our reasons |
|---|---|
| Credit reference checks via external credit reference agencies | For our legitimate interests or a those of a third party, i.e. for credit control and to ensure our clients are likely to be able to pay for our services |
| External audits and quality checks and the audit of our accounts | For our legitimate interests or a those of a third party, i.e. to maintain our accreditations so we can demonstrate we operate at the highest standards<br>To comply with our legal and regulatory obligations |

The above table does not apply to special category personal data, which we will only process with your explicit consent.

## Promotional communications

We may use your personal data to send you updates (by email, text message, telephone or post) about legal developments that might be of interest to you and/or information about our services, including exclusive offers, promotions or new services or products.

We have a legitimate interest in processing your personal data for promotional purposes (see above '**How and why we use your personal data**'). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your personal data with the utmost respect and never share it with other organisations for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by contacting us by email or by letter.

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

## Who we share your personal data with

We routinely share personal data with:

- professional advisers who we instruct on your behalf or refer you to, e.g. barristers, medical professionals, accountants, tax advisors or other experts;
- other third parties where necessary to carry out your instructions, e.g. your mortgage provider or HM Land Registry in the case of a property transaction or Companies House;
- credit reference agencies;
- our insurers and brokers;
- The audit of our accounts;
- our bank;
- external service suppliers, representatives and agents that we use to make our business more efficient, e.g. typing and cashier services.

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers relating to ensure they can only use your personal data to provide services to us and to you.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

We may also need to share some personal data with other parties, such as potential buyers of some or all of our business or during a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

We will not share your personal data with any other third party.

## Where your personal data is held

Information may be held at our offices third party agencies, service providers, representatives and agents as described above (see '**Who we share your personal data with**').

Some of these third parties may be based outside the European Economic Area. For more information, including on how we safeguard your personal data when this occurs, see below: '**Transferring your personal data out of the EEA**'.

## How long your personal data will be kept

We will keep your personal data after we have finished advising or acting for you. We will do so for one of these reasons:

- to respond to any questions, complaints or claims made by you or on your behalf;
- to show that we treated you fairly;
- to keep records required by law.

We will not retain your data for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of data.

## Transferring your personal data out of the EEA

To deliver services to you, it is sometimes necessary for us to share your personal data outside the European Economic Area (EEA), e.g.:

- with your and our service providers located outside the EEA;
- if you are based outside the EEA;
- where there is an international dimension to the matter in which we are advising you.

These transfers are subject to special rules under European and UK data protection law.

If you would like further information please contact us (see 'How to contact us' below).

## Your rights

You have the following rights, which you can exercise free of charge:

| | |
|---|---|
| Access | The right to be provided with a copy of your personal data |
| Rectification | The right to require us to correct any mistakes in your personal data |

| | |
|---|---|
| To be forgotten | The right to require us to delete your personal data—in certain situations |
| Restriction of processing | The right to require us to restrict processing of your personal data—in certain circumstances, e.g. if you contest the accuracy of the data |
| Data portability | The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations |
| To object | The right to object:<br>—at any time to your personal data being processed for direct marketing (including profiling);<br>—in certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests. |
| Not to be subject to automated individual decision-making | The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you |

For further information on each of those rights, including the circumstances in which they apply, please contact us or see the Guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under the General Data Protection Regulation.

If you would like to exercise any of those rights, please:

- email or write to us —see below: '**How to contact us**'; and
- let us have enough information to identify you *(e.g. your full name, address and client or matter reference number)*;
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and
- let us know what right you want to exercise and the information to which your request relates.

## Keeping your personal data secure

We have appropriate security measures to prevent personal data from being accidentally lost, or used or accessed unlawfully. We limit access to your personal data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

# Information stored on mobile devices

It is our company policy that all personally identifiable information stored on mobile devices (e.g. laptop computers / smartphones) and portable media (e.g. flash drives / back-up tapes) is protected by encryption.

## How to complain

We hope that we can resolve any query or concern you may raise about our use of your information.

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

## Changes to this privacy policy

This privacy policy was published on 06 April 2021 and last updated on 16 January 2023

We may change this privacy policy from time to time, when we do we will inform you via post or email.

## Keeping your personal data secure

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If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

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## How to contact us

Please contact us by post or email (not by telephone) if you have any questions about this privacy policy or the information we hold about you.

Our contact details are shown below:

| **Our contact details** |
| --- |
| 15a Walker Terrace, Gateshead NE8 1EB<br><br>info@petermaughanlaw.com<br>or<br>pjm@petermaughanlaw.com<br><br>Tel :0191 7070 111 |