



BENNETT GRIFFIN LLP

## Privacy Policy and Notice

### **Introduction**

This Privacy Policy and Notice replaces the Data Protection Privacy Notice in Clause 11 of the Bennett Griffin LLP Terms and Conditions brochure and may change from time to time and in response to guidance and best practice advice issued by the Information Commissioner's Office, in particular, in response to the change in Data Protection Law in the UK on 25<sup>th</sup> May, 2018. We will inform you of changes via our website, and if you are a Client we will inform you of any key changes in writing. This Privacy Policy and Notice was last updated on 27<sup>th</sup> June, 2018. It applies to all of a person's (known as an individual Data Subject) interaction with Bennett Griffin LLP for Data Protection purposes.

Bennett Griffin LLP is a law firm in Sussex offering a range of legal services to organisations and institutions, small and medium-sized businesses, and private individuals.

As an essential part of our business, we collect and manage Client and non-Client data. When doing so we observe the UK Data Protection legislation. We act as a "Data Controller" in respect of the information gathered and processed by us.

In order that you are reliably informed about how we operate, we have developed this Privacy Policy and Notice which describes the ways in which we collect, manage, process, store and share information about you. This also provides you with information about how you can have control over the use of your data.

If you have any comments or queries regarding our use of your data, please contact the person responsible for Data Protection here at Bennett Griffin LLP, Kate Hallin, Managing Partner, on 01903 229943, or write to Kate Hallin at 1 Liverpool Gardens, Worthing, West Sussex, BN11 1TF or email at [klh@bennett-griffin.co.uk](mailto:klh@bennett-griffin.co.uk).

### **What Information Do We Collect About You?**

We seek to collect information about you so that we can:-

- Administer our relationship with you, provide services and respond to enquiries
- Enable business development, including sending legal updates, publications and details of events
- Process Applications for employment
- Deliver requested information to you about our services
- Ensure the billing of any procured services and obtain payment
- Process and respond to any complaints
- Enable us to meet our legal and other regulatory obligations imposed on us

- Audit usage of our websites

The information that we need for these purposes is “personal data”. This includes your name, home address, email address, telephone and other contact numbers and financial information. We collect this in a number of different ways. For example, you may provide this data to us directly online or over the telephone, or when corresponding with us by letter.

We may also process sensitive classes of information that includes:-

- Physical or mental health details, and
- Racial or ethnic origin

We will seek your permission if we need to record any of your sensitive personal data on our systems.

On occasion we may voice record our customer interactions. Therefore, any information captured via this medium will automatically be stored for training and monitoring purposes, or, for example, to prove what was said in a telephone conversation in the event of a complaint, disagreement or dispute.

Our use of the above information is subject to your instructions, Data Protection law, and our duty of confidentiality.

### **How we use Cookies when you Access our Website**

A cookie is a small file which asks permission to be placed on your computer’s hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences. We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system. Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives 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. This may prevent you from taking full advantage of the website.

### **How Will We Use Your Information?**

We use the data collected from you for the specific purposes listed below which explains the legal basis for processing your data, linked to each processing purpose.

1. To administer our relationship with you, provide services and respond to enquiries. This is to meet the requirements of a contract.
2. To ensure the billing of any procured services by you and obtain payment. This is to meet the requirements of a contract.
3. To communicate with you about legal updates, breaking news, newsletters and event invitations which are relevant to your interests and in line with your preferences. We

have a legitimate interest in processing your Personal Information for our business development purposes. This means we do not usually need your consent to send you legal updates and information about our services. However, where consent is needed (for example, to send you electronic communications), we will ask for this consent separately and clearly. We will always treat your Personal Information with the utmost respect and we will never sell or share it with other organisations for marketing purposes. You have the right to opt out of receiving marketing communications at any time by using the 'unsubscribe' link in our emails or by contacting the person responsible for Data Protection, Kate Hallin, on 01903 229927 or write to Kate Hallin at 1 Liverpool Gardens, Worthing, West Sussex, BN11 1TF or via email at [klh@bennett-griffin.co.uk](mailto:klh@bennett-griffin.co.uk). 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.

4. To provide enquirers support by telephone - to include recording conversations for monitoring and quality purposes. This is to fulfil contractual obligations and includes taking action before entering into a contract.
5. To process and respond to complaints. This is to meet a legal obligation.
6. To monitor and record information relating to the use of our services, to include our website. This is to meet a legitimate interest in order to improve the services and experience and website for individuals. This data may be shared with web service providers and cookie providers.
7. To conduct human resource administration to include assessing suitability, eligibility and/or fitness to work. This is to fulfil contractual obligations this includes taking action before entering into a contract.

### **Who we share your Personal Information with?**

We may share Personal Information with:-

- Professional advisers who we instruct on your behalf or refer you to, for example, Barristers, Medical Professionals, Accountants, Tax Advisers or other Experts
- Other third parties where necessary to carry out your instructions, for example, HM Land Registry in the case of a property transaction, Companies House, your mortgage provider, Lender Exchange services and Lender Panels
- Our insurers and brokers
- The Auditors of our Accounts
- Our bank
- External service suppliers, representatives and Agents that we use to make our business more efficient, for example, typing services, marketing agencies, document collation, analysis suppliers and organisations supplying electronic identification verification for Client due diligence purposes to comply with Money Laundering legislation
- Where we have your consent to do so, with our external Auditors in relation to our Lexcel Accreditation
- Our IT support and service providers may also access your Personal Information as a consequence of them providing support to us.

We only allow our service providers to handle your Personal Information if we are satisfied they take appropriate measures to protect your Personal Information.

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 Information with other parties. For example, if we, in the course of our own business operations, sell or buy any business or assets, we may disclose Personal Information held by us to the prospective seller or buyer of those businesses or assets.

Where possible, information will be anonymised, but the recipient of the information will be bound by confidentiality obligations. If we are acquired, or substantially all of our assets are acquired by a third party (or are subject to a re-organisation), Personal Information held by us will be one of the assets which is transferred.

### **Money Laundering Checks**

We may receive personal data from you for the purposes of our money laundering checks, such as, a copy of your passport. These will be processed only for the purposes of preventing money laundering and terrorist financing, or as otherwise permitted by law or with your express consent.

You consent to us retaining such data for longer than the five year statutory period, unless you tell us otherwise.

### **Your Obligations**

If you send us personal data about anyone other than yourself you will ensure you have any appropriate consents and notices in place to enable you to transfer that personal data to us, and so that we may use it for the purposes for which you provide it to us.

### **Your Rights**

To ask about or request the exercise any of your rights set out below please contact the person here at Bennett Griffin LLP responsible for Data Protection, Kate Hallin on 01903 229927, or write to Kate Hallin at 1 Liverpool Gardens, Worthing, West Sussex, BN11 1TF or email at [klh@bennett-griffin.co.uk](mailto:klh@bennett-griffin.co.uk).

Under the terms of Data Protection legislation, you have the following rights as a result of using this website:

#### **Right to Be Informed**

This Privacy Notice, together with our Cookies Policy, fulfils our obligation to tell you about the ways in which we use your information.

#### **Right to Access**

You have the right to ask us for a copy of any personal data that we hold about you. This is known as a "Subject Access Request". Except in exceptional circumstances (which we

would discuss and agree with you in advance), you can obtain this information at no cost. We will send you a copy of the information within 30 days of your request.

### **Right to Rectification**

If any of the information that we hold about you is inaccurate it is important this is corrected so please contact Kate Hallin whose details are above.

### **Right to Be Forgotten**

From 25<sup>th</sup> May, 2018, you can ask that we erase all personal information that we hold about you. Where it is appropriate that we comply, your request will be fully actioned within 30 days.

### **Right to Object**

You have the right to object to:

The continued use of your data for any purpose listed in the table above for which consent is identified as the lawful basis for processing, that is, you have the right to withdraw your consent at any time.

The continued use of your data for any purpose listed in the table above for which the lawful basis of processing is that it has been deemed legitimate.

### **Right to Restrict Processing**

If you wish us to restrict the use of your data because:-

- (i) You think it is inaccurate but this will take time to validate
- (ii) You believe our data processing is unlawful, but you do not want your data erased
- (iii) You want us to retain your data in order to establish, exercise or defend a legal claim
- (iv) You wish to object to the processing of your data, but we have yet to determine whether this is appropriate.

### **Right to Data Portability**

If you would like to move, copy or transfer the electronic personal data that we hold about you to another organisation.

### **Is The Processing Of Information Likely To Cause Individuals To Object Or Complain?**

Bennett Griffin LLP is not aware of any justifiable reasons that would constitute a legitimate reason for objecting or complaining about the way we process or control information.

### **How Long Will We Retain Information For?**

Bennett Griffin LLP 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.

When it is no longer necessary to retain your Personal Information, we will delete or anonymise it. In some circumstances we may anonymise your Personal Information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

To determine the appropriate retention period for Personal Information, we consider the amount, nature, and sensitivity of the Personal Information, the potential risk of harm from unauthorised use or disclosure of it, the purposes for which we process your Personal Information and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data, see Your Rights above.

## **Clients**

We only keep your Personal Information about your matter for as long as is necessary to:-

- Carry out our services for your matter
- Respond to any questions, complaints or claims made by you or on your behalf
- Show that we treated you fairly
- Keep records required by law to comply with our legal obligations and our duties to our regulator. Anti-Money Laundering legislation requires us to retain records, documents and information relating to a Matter, including a copy of your identity documentation, for five years from conclusion of your matter or when our business relationship with you ends. As stated above, you consent to us retaining such data for longer than the five year statutory period, unless you tell us otherwise.

For most types of matters we retain your matter file both electronically and in a paper file, which will include your Personal Information, for up to fifteen years from the date of your final bill although this may vary depending on the nature of your Matter. Further information about the likely retention period will be provided to you when your matter concludes. To comply with our regulatory requirement to have effective systems and controls in place to enable us to identify and assess potential conflicts of interests, we will keep sufficient data to identify the nature and content of our retainer with you indefinitely.

## **Overseas Transfers**

None of the information that we collect process or store as a result of this website is transferred outside of the European Economic Area (EEA). This includes information that is exchanged with any third party organisation as described above.

## **General**

Questions and comments regarding this Privacy and Security Notice are welcomed. Please contact Kate Hallin on 01903 229927 or write to Kate Hallin at 1 Liverpool Gardens, Worthing, West Sussex, BN11 1TF or email at [klh@bennett-griffin.co.uk](mailto:klh@bennett-griffin.co.uk).

You can also contact our Kate Hallin if you have any concerns or complaints about the ways in which your personal data has been handled as a result of you using this website.

Alternatively, you have the right to lodge a complaint with the Information Commissioner's Office who may be contacted at Wycliffe House, Water Lane, Wilmslow SK9 5AF or <https://ico.org.uk>.