



## **RUSSELL MALVERN LIMITED ("Russell & Co Solicitors")**

### **PRIVACY POLICY – MAY 2018**

#### **Introduction**

Following the EU General Data Protection Regulation (GDPR), and its implementation on 25th May 2018, maintaining the security of your data is a priority of Russell & Co Solicitors, and we are committed to respect your privacy rights. We will use our best endeavours to handle your data fairly and legally at all times. We are also dedicated to being transparent about what personal data and sensitive personal data we collect from you and how we may use such data.

This privacy notice aims to explain the types of personal data Russell & Co Solicitors may collect about you when you interact with us whether you visit our offices, when you use your mobile device or when you go on line. It also aims to explain how we will process, share and keep your data.

We hope this information will answer any questions you have, but if you still have any questions, please do not hesitate to get in touch with us directly.

As this notice may need to be updated from time to time, we will inform you if there are any significant changes.

#### **Who are Russell & Co Solicitors?**

Russell Malvern Limited, operating as Russell & Co Solicitors, is a Company incorporated at Companies House under registration number 06722941.

We gather and process your personal information in accordance with this privacy notice and in compliance with the relevant data protection regulation and law. This notice provides you with the necessary information regarding your rights and obligations, and explains how, why and when we collect and process your personal data.

Russell & Co Solicitors are also registered on the Information Commissioner's Register.

#### **Why Do We Collect Your Personal Data?;**

We may collect and process your personal data for a number of reasons. These reasons include:

- so that we may comply with any legal obligation we have;
- in order to comply with our duties and exercising our rights under a contract with you;
- the pursuit of our legitimate interests (as set out below);
- where you have consented to the processing of your personal data;
- this includes, but is not limited to, information provided by you and third party providers;
- when you/they contact us in person, over the telephone, by e-mail or by post; when you apply for a job vacancy with us

### **Our Legitimate Interests**

The normal legal aim and basis for processing personal data, is that it must be necessary for the legitimate interests of Russell & Co Solicitors, including:

- protecting clients, employees and other individuals and maintaining their health, safety and welfare;
- promoting, marketing and advertising our services;
- understanding our client's instructions, activities, preferences and needs;
- improving existing services and developing;
- complying with our legal and regulatory obligations;
- preventing, investigating and detecting crime, fraud or anti-social behaviour and prosecuting offenders, including working with law enforcement agencies;
- handling client contacts, queries or disputes;
- protecting Russell & Co Solicitors, its employees and clients, by taking appropriate legal action against third-parties who have committed criminal acts or are in breach of legal obligations to Russell & Co Solicitors; and
- fulfilling our duties to our clients, employees and Directors.

### **The Purposes and Reasons for Processing Your Personal Data**

We take your privacy very seriously and will never disclose or share your personal data without your knowledge, unless we are required to do so by law.

We only retain your data for as long as is necessary and for the purposes specified in this notice. Unless we notify you, we will not process your personal data outside of the European Economic Area (EEA), as it is currently defined.

Detailed below are examples of when we would collect, process and in some cases, share your personal data:

- to verify your identity;
- to process job applications;
- to process and manage your instructions;
- to carry out our obligations arising from any contracts entered into between you and us;
- to monitor customer satisfaction albeit individuals are not identified in this process;
- to provide you with information, products or services that you request from us;
- to notify you about changes to our services;

- Where you have consented to us providing you with our services, you are free to withdraw consent at any time.
- In the event of any criminal investigations, we may be required by law, to share the data captured with the relevant authorities.

### **How Long Will We Keep Your Data?**

We only ever retain personal information for as long as is necessary and we have retention policies in place to meet these obligations.

Whilst there is no specific Law Society practice note regarding retention of your personal data for a set period of time for example, the maximum legally obliged retention period for file details of 6 years or until such time as a child in proceedings reaches the age of 18, we are required to comply with statutory provisions, such as limitation periods Money Laundering Regulations 2017 and the UK Finance Mortgage Lenders' Handbook.

### **How We Will Share Your Data?**

We do not share or disclosure any of your personal information without your consent, other than for the purposes specified in this notice or where there is a legal requirement.

We use trusted third-parties to provide services and business functions, however all processors acting on our behalf only process your data in accordance with instructions from us and comply fully with this privacy notice, the data protection laws and any other appropriate confidentiality and security measures.

We may disclose your information to third parties if:

- we are under a duty to disclose or share your personal data in order to comply with any legal obligation; or
- in order to apply or enforce our contracts with you; or
- to protect our rights, property, or our safety and/or the safety of our clients, or others.
- We may also disclose your information to represented parties to proceedings to fulfil directions as ordered by the court.
- These third parties may include (but not limited to):
  - Solicitor Advocates;
  - Barristers;
  - Professional Experts;
  - Other Parties in Proceedings;
  - The Legal Aid Agency;
  - The Law Society;
  - HMRC;
  - Payroll Accounts;
  - Pension Regulators;
  - Private Medical Company;
  - Police Disclosure Unit

## **What Are Your Rights Over Your Personal Data?**

You have the right to access any personal information that we process about you and to request information about:

- What personal data we hold about you.
- The purposes of the processing.
- The categories of personal data concerned.
- The recipients to whom the personal data has/will be disclosed to.
- How long we intend to store your personal data for.
- If we did not collect the data directly from you, information about the source.

If you believe that we hold any incomplete or inaccurate data about you, you have the right to ask us to correct and/or complete the information and we will strive to update/correct it as quickly as possible; unless there is a valid reason for not doing so, at which point you will be notified.

If you would like your personal data to be removed or the use to be amended, you have the right to request:

- your personal data to be erased (deleted) from our records;
- the use / processing of your personal data to be restricted in accordance with data protection laws;
- to opt out of any direct marketing from us (this can be done in a number of ways and will depend on the marketing you are receiving. Please see the marketing material for how to unsubscribe);
- to be informed about any automated decision-making that we use.

If we receive a request from you to exercise any of the above rights, we may ask you to verify your identity before acting on the relevant request; this is to ensure that your data is protected and kept secure.

We will inform you if your request is possible under current regulations and inform you to what extent your request has been processed. Where we are under legal obligation to retain your information, we will clarify the requirements around the extent of data as well as the duration we will continue to hold your personal data.

If you would like to make a request around the processing of your personal data, please contact us at

bherdman@russell-law.co.uk

## **Further Details, Questions, or Complaints**

We hope we have provided you sufficient information about the processing of your personal data by us and the rights you have over it, however if you have any additional questions or would like more details around any of the points listed above, please contact:

Brian Herdman  
Russell & Co Solicitors  
Holland House  
Church Street  
Malvern  
WR14 2AH

### **Lodging a Complaint**

If you are not happy with this notice and believe we have processed your data in an unfair or unjust way or are non-compliant with the relevant data protection laws and you wish to raise a complaint, please contact us and we will carefully consider your complaint and respond to you following our complaints procedure. You also have the right to lodge a complaint with the supervisory authority (the Information Commissioners Office).

ICO  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113