

wilson browne SOLICITORS

PRIVACY NOTICE

Wilson Browne LLP (“Wilson Browne”) respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

For your ease of reference, this privacy notice is divided into the following sections:

1. Important information and who we are
2. The data we collect about you
3. How your personal data is collected
4. How we use your personal data
5. Disclosures of your personal data
6. International transfers
7. Data security
8. Data retention
9. Your legal rights
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1. Important Information and who we are

Purpose of this privacy notice

This privacy notice aims to give you information on how Wilson Browne collects and processes your personal data.

Controller

Wilson Browne is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy notice).

We have appointed a data protection manager (“DPM”) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your rights in relation to your personal information, please contact the DPM using the details set out below.

Contact details

Wilson Browne LLP is a limited liability partnership with registered company number OC345105

Name or title of DPM: Jill Graham

Email address: dataprotectionmanager@wilsonbrowne.co.uk

July 2019

Postal address: Wilson Browne Solicitors, 4 Grange Park Court, Roman Way, Northampton, Northamptonshire, NN4 5EA

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 (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Changes to the privacy notice and your duty to inform us of changes

We may change this privacy notice from time to time by updating this page in order to reflect changes in the law and/or our privacy practices. We advise you to check this privacy notice for changes whenever you visit our website – www.wilsonbrowne.co.uk

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

2. The data we collect 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).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes information contained in a formal identification document such as first name, last name, maiden name, title, gender, marital status and date of birth.
- **Contact Data** includes information which can be used to communicate with you such as billing address, delivery address, email address, and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you, any meeting records where you have met with us and other details of matters you have instructed us on.
- **Legal Data** includes information relating to legal claims made by you or against you.
- **Employment Data** includes information relating to your previous, current or future employment data.
- **Behavioural Data** includes information relating to your behaviour such as hobbies and life style choices.
- **Biographical Data** includes information relating to aspects of your life such as events and experiences.
- **Technical Data** includes internet protocol (IP) address, browser type and version, time zone setting and location, operating system and platform and other technology on the devices you use to access our website.

- **Usage Data** includes information about how you use our website.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We may hold **Special Categories of Personal Data** from time to time such as information relating to your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data. We will only use this information where;

- we have your explicit consent to the processing;
- the processing is necessary for protecting your vital interests or those of another individual where they are physically or legally incapable of giving consent;
- the processing is necessary for us to do so with the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity; or
- where another of the grounds for processing special categories of personal data are satisfied.

This list of personal data is not exhaustive and further information may be requested from you when Wilson Browne considers it fair and necessary to do so.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you. In this case, we may have to cancel the instructions you have with us but we will notify you if this is the case at the time.

3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** The information you provide to us may include Identity, Contact, Financial, Transaction, Legal, Employment, Behavioural, Biographical and Marketing and Communications Data. You may give us personal data when you make an enquiry with us or engage us to provide legal services to you, or when entering information on our website or by corresponding with us by post, phone, email, through our website and social media, meeting face to face at our offices or otherwise. This may also include personal data you provide during the course of any legal matter that you have with us, visiting our offices and signing into the visitors' book or when providing us with feedback for our services.
- **Automated technologies or interactions.** As you interact with our website and with emails received from us, we may automatically collect Technical and Usage Data about your

equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please refer to our cookie policy on <https://www.wilsonbrowne.co.uk/privacy> for further details.

- **Internal databases.** We may collect personal data from data already stored within our email and electronic storage systems/databases.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties when we are acting on behalf of our client and are required to obtain certain information about you in relation to their legal matter. This information may include Identity, Contact, Transaction, Legal, Employment, Behavioural and Biographical Data but will only be used for the purposes of the legal service we are instructed to provide to our client.
 - We may receive personal data from:
 - law firms, accountants and other professionals advisors when acting for clients during the course of transactional or dispute resolution matters;
 - banks, building societies and finance companies when acting for a client who is also the customer of a financial institution;
 - social media platforms;
 - regulatory bodies when complying with our regulatory obligations;
 - public bodies such as local authorities and the Office of the Public Guardian; and
 - professional advisors/introducers who refer your matter to us.
 - We may also obtain Identity and Contact Data about you through publicly available sources such as Companies House and SmartSearch in order to perform our necessary credit checks and to validate your details.

4. How we use your personal data

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

- Where we need to perform the contract we are about to enter into or have entered into with you.
- 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.
- Where we need to comply with a legal or regulatory obligation.
- Where you have provided consent.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending direct marketing communications to you if you are an individual or consumer via email or text message. You have the right to withdraw consent to marketing at any time by emailing dataprotectionmanager@wilsonbrowne.co.uk.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us by emailing dataprotectionmanager@wilsonbrowne.co.uk should you require details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose	Lawful basis for processing
To register you as a new client and to enter into and perform the contract we have with you including carrying out conflict, credit and anti-money laundering checks to ensure that we are able to provide the contractual services to you.	(a) Performance of a contract with you; (b) Necessary for our legitimate interests; and (c) Necessary to comply with a legal obligation.
To carry out our contract for the provisions of services to you including: (a) Managing payments, fees and charges; and (b) Collecting and recovering money owed to us.	(a) Performance of a contract with you.
To manage our relationship with you including: (a) General communication relating to your instructions; (b) Notifying you about changes to our terms or privacy policy; and (c) Asking you for feedback.	(a) Performance of a contract with you; and (b) Necessary to comply with a legal obligation.
To enable you to provide feedback on our services, enable us to deal with any complaints and improve our service offering.	(a) Performance of a contract with you; and (b) Necessary for our legitimate interests.
To notify you of changes in the law that might affect you or your business.	(a) Necessary for our legitimate interests.
For the prevention of fraud and other criminal activities.	(a) Necessary to comply with a legal obligation; and (b) Necessary for our legitimate interests.
To ensure we meet with our certification and health and safety requirements.	(a) Necessary to comply with a legal obligation.
For network and information security purposes to enable us to protect against personal data loss.	(a) Necessary for our legitimate interests.
For management and auditing of our business operations including accounting.	(a) Necessary to comply with a legal obligation.
To comply with our legal and regulatory obligations, requirements and guidance such as the SRA's Code of Conduct and the Financial Conduct Authority Handbook.	(a) Necessary to comply with a legal obligation.
To comply with other legal obligations such as maintaining a register of corporate gifts in order to comply with anti-bribery laws and maintaining a record of undertakings either given or received by us.	(a) Necessary to comply with a legal obligation.

For the establishment, exercise or defence of our legal rights.	(a) Necessary for our legitimate interests.
To share information, as needed with service providers or other third parties as part of providing services to you and operating our business.	(a) Performance of a contract with you; and (b) Necessary for our legitimate interests.
To share your information, as needed, with our contractors for direct marketing purposes.	(a) Necessary for our legitimate interests; and (b) With your consent where you are an individual and the direct marketing relates to e-marketing.
To use data analytics to improve our website, marketing, client relationships and experiences.	(a) Necessary for our legitimate interests.
To make automated decisions on whether to inform you of products which may be of interest to you.	(a) Performance of a contract with you; and (b) Necessary for our legitimate interests.
To send publications you have subscribed to; and/or invitations to events we consider relevant.	(a) Necessary for our legitimate interests; and (b) With your consent where you are an individual.

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing.

We may use your Identity, Contact, Technical, Usage and Marketing and Communications Data to form a view on what may be of interest to you. This is how we decide which of our legal services may be relevant for you.

You will receive marketing communications from us if you have requested information from us or have previously instructed us and, in each case, you have not exercised your right to object to receive that marketing.

Electronic marketing to individuals

Where you are an individual, we will only send you electronic marketing once you have provided your express opt-in consent first. We will also get your express opt-in consent before we share your personal data with any other Company for electronic marketing purposes.

Object to marketing

You can ask us or third parties to stop sending you marketing messages at any time by clicking on and following the unsubscribe link in the email (in the case of emails) or exercising your right to object by contacting us on dataprotectionmanager@wilsonbrowne.co.uk.

Where you exercise your right to object to your personal data being used to receive these marketing messages, this will not apply to personal data provided to us as a result of your instructions with us.

Change of purpose

We will only use your personal data 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please email us at dataprotectionmanager@wilsonbrowne.co.uk.

If we need to use your personal data 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 data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above:

- Our service providers and suppliers such as IT, telephone, system administration, support services and insurers for example.
- Other parties involved in your case such as professional advisers including lawyers, bankers, auditors and insurers based providing consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities who may require reporting of processing activities in certain circumstances.
- Credit/debit card companies.
- Credit reference agencies – we use the following agencies, further information about their activities are set out in their respective Privacy Notices, in the links shown:
 - Experian <https://www.experian.co.uk/consumer/privacy.html>
 - TransUnion <https://www.transunion.co.uk/legal-information/bureau-privacy-notice>

We may also transfer your data in order to comply with any legal obligation, enforce the terms of the contracts we have entered into or to protect your vital interests. Personal data may also be transferred should we sell some or all of our business as part of a business sale, restructure or reorganisation.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International transfers

We do not intend on sharing your personal data outside the European Economic Area (EEA).

Should one of the third parties listed under paragraph 5 above be located outside of the EEA however in a country which does not have the same level of data protection as in the UK, we will ensure that appropriate contractual safeguards are in place to mirror the requirements of domestic data

protection law. We may also require the receiver to sign up to such international frameworks or mechanisms designed to ensure adequate data protection.

Please email dataprotectionmanager@wilsonbrowne.com if you want further information on the specific mechanisms used by us when transferring your personal data out of the EEA.

7. **Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

8. **Data retention**

How long will you use my personal data for?

We will only retain your personal data 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.

9. **Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please email dataprotectionmanager@wilsonbrowne.co.uk.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

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 your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

How to complain

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

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.

10. Glossary

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by emailing us at dataprotectionmanager@wilsonbrowne.co.uk.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.