

Latham & Co

Solicitors

Privacy Policy

Version: May 2018

This notice explains when and why we collect personal information about you; how we use it, the conditions upon which we may disclose such data to others and how we keep it secure on your behalf.

You should read this notice alongside our terms and conditions of business which provide further information.

This notice does not apply to any websites that may have a link to ours.

Data Controller & Data Protection Officer

Data is collected, processed and stored by Latham & Co; and we are what is known as the 'data controller' of the personal information you provide to us.

Our Data Protection Officer is Trevor Kirkman who can be contacted by email trevorkirkman@lathamlawyers.co.uk.

What data does Latham & Co need from you?

The exact information we will request from you will depend on what you have asked us to do or what we are contracted to do for you.

There are two types of personal data (personal information) that you may provide to us:

- Personal data: is the general information that you supply about yourself, such as your name, address, gender, date of birth, contact details, financial information etc.
- Sensitive personal data: consists of data of a more sensitive nature this may include details of your racial or ethnic origin, religious or philosophical beliefs, political opinions, trade union membership, sexual orientation, physical or mental health data, biometric and genetic data.

In the majority of cases personal data will be restricted to basic information needed to complete identification checks.

However, some of the legal work we do may necessitate us asking for more sensitive information from you.

Sources of information

Information about you may be obtained from a number of sources; including:

- You may volunteer the information about yourself.
- You may provide information relating to someone else where you have the authority to do so.
- Information may be passed to us by third parties in order that we can undertake your legal work on your behalf.

Why Latham & Co need your data

The primary reason for asking you to provide us with your personal data, is to allow us to carry out your requests, these will ordinarily be to represent you and carry out your legal requirements.

The following are some examples, although not exhaustive, of what we may use your information for:

- Verifying your identity and the source of funds paid to us
- Detection of fraud and Anti Money Laundering regulation compliance
- The ability to communicate with you during your matter
- Managing your matter, including preparing and presenting your case, the preparation of documentation and completing legal transactions
- Seeking advice from third parties in connection with your matter
- Maintaining financial records of transactions
- Responding to any complaint raised or allegation of negligence against the firm
- The provision of information (during the retainer) of additional legal work or services that may benefit you

Who has access to your data

We have a data protection regime in place to oversee the effective and secure processing of your personal data. We will never sell, rent or share your information with third parties for any purpose.

Normally, we will only use your information within Latham & Co.

However, from time to time we may need to disclose information to third parties during the course of your matter and to enable the progression of the same this may include, but is not limited to:

- HM Land Registry to register a property
- HM Revenue & Customs
- A Court or Tribunal
- Solicitors acting on the other side
- Advice from or representation by a Barrister
- Non legal experts to obtain advice or assistance
- Translation Agencies
- Contracted Suppliers
- External auditors (accountant for solicitor's accounts rules purposes) or our Regulator such as the SRA.
- Bank or Building Society; or other financial institutions
- Insurance Companies
- Solicitors or insurers representing our interests in the event of claim being brought against us by you
- Providers of identity verification
- Conveyancing panels to enable us to provide conveyancing services on your behalf
- Our IT providers (it being noted that no data is stored off site or in the cloud)
- Card processing providers
- Any disclosure required by law or regulation; such as the prevention of financial crime and terrorism
- If there is an emergency and we think you or others are at risk

In the event any of your information is shared with a third parties, we ensure that they use your personal information strictly to our order and do not use your personal information for their own purposes unless you have explicitly consented to them doing so.

There may be some uses of personal data that may require your specific consent. If this is the case, we will contact you separately to ask for your consent which you are free to withdraw at any time.

How do we at Latham & Co protect your personal data

Your information is extremely valuable and we will undertake all reasonable measures to protect it.

We have standards of technology and operational security in place to ensure that your personally identifiable data is protected from:

- loss,

- misuse,
- alteration, or
- destruction.

We furthermore adopt an extremely high threshold when it comes to our confidentiality obligations.

All parties who may handle or have access to your data have confirmed that they will ensure all personal data is handled and processed in line with the stringent confidentiality and data protection policies laid down by Latham & Co.

At Latham & Co we use computer safeguards to protect your data and we enforce, where possible, physical access controls to our offices and storage facility.

Visitors to our websites

When someone visits our websites we use a third party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things like number of visitors to parts of the site. This information is processed in a way that does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our websites. If we do want to collect personally identifiable information through our website, we will be transparent about it. We will make it clear when we collect personal information and will explain what we intend to do with it.

How long will Latham & Co keep your information for

Your personal information will be retained, usually digitally on computer or manually in files

The information will be retained only for:

- As long as necessary to carry out your legal work
- As is required by law
- For a minimum of 6 years from the conclusion or closure of your legal work; or until the period you could make a claim against us has elapsed,
- For the duration of a trust, plus 6 years
- Some information or matters may be kept for 16 years – such as commercial transactions, sales of leasehold purchases.
- Probate matters where there is a surviving spouse or civil partner may be retained until the survivor has died in

order to deal with the transferable Inheritance Tax allowance

- Wills and related documents may be kept indefinitely
- Deeds related to unregistered property may be kept indefinitely as they evidence ownership
- Personal injury matters which involve lifetime awards or PI Trusts may be kept indefinitely
- A period to comply with your instructions to either retain or to extend the retention period in relation to your documents
- A period of up to six months (or longer by agreement) for the purposes of providing a follow up and or subsequent quotation where we have obtained information from a prospective client

What are your rights?

Under GDPR, you have a “right to access” your personal data.

Access to your personal information

The General Data Protection Regulations replace the Data Protection Act 1998 on 25th May 2018. Under both sets of regulations, you are entitled to request a copy of your personal data. If you wish to make a data access request, please contact our Data Protection Officer (trevorkirkman@lathamlawyers.co.uk,) write to Latham & Co. 15 High Street, Melton Mowbray Leicestershire LE13 0TX or contact the person dealing with your matter.

A data access request only entitles you to a copy of the personal information we hold on you, such access request will not normally result in you receiving a copy of a file. This is because the focus of the documents it contains are likely to be the legal matter (or transaction) you have asked us to conduct on your behalf, rather than the personal information we hold on you.

What happens if I do not want you to use my personal data

The General Data Protection Regulations provide you with rights including the right to object to specific types of processing and the rights to be forgotten. We have a contractual relationship with our clients that includes a right for us to process their personal information. This means that clients cannot object to our processing of their personal information.

In certain situations, you may be able to ask for restrictions to be placed on the processing of your data or to exercise your right to be forgotten.

Such restriction has the effect of freezing your data. This would mean that we would continue to store your personal data but could not do anything with it. Such restriction may be relevant if you had a concern over the way your data was handled.

A right to be forgotten would usually apply where data is processed unlawfully or such processing fails to satisfy the requirement of the General Data Protection Regulations.

Inaccurate information

If you think any information we hold about you is incorrect or incomplete or has been changed since you first told us, please let us know as soon as possible so that we can update our records.

Complaints about the use of personal data

If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate further. Our Data Protection Officer is Trevor Kirkman and you can contact him at trevorkirkman@lathamlawyers.co.uk

He will acknowledge your complaint and reply to your concerns. If you are not satisfied with the response, the UK regulator on data protection issues is the Information Commissioner’s Office. Their telephone number is 0303 123 1113 and website which is www.ico.org.uk.