

# Privacy Policy

## 1. Introduction and who we are

“We” or “Julie Burton Law” refers to Julie Burton Law.

We are committed to ensuring that your privacy is protected and the aim of this policy is to set out how the practice ensures that information is managed and kept secure.

## 2. Data Protection Principles

The Practice is required to comply with the Data Protection Act 1998. It is the responsibility of the Directors to ensure that the Practice is registered with the Information Commissioner’s Office.

This covers all data held by the practice. Compliance with the Data Protection Act 1998 requires that all data must be:

- Fairly and lawfully processed
- Processed for limited purposes only
- Adequate, relevant and not excessive
- Accurate
- Not kept longer than necessary
- Processed in accordance with the data subject’s rights
- Secure
- Not transferred to other countries without adequate protection

Any individual whose data is held by the practice may make a request to see the data held about them (**a subject access request**). All requests must be made in writing and addressed to the Directors (Rebecca Humphreys and Helen Scott).

## 3. What we collect

In order to advise, establish and progress your legal claim we may need to obtain and then process personal information, including (but not limited to) the following:

- Name
- Address/telephone contact details/email address
- Date of birth
- NI number
- Disability and health information
- ethnicity
- gender
- marital status
- place of birth
- benefit information
- financial information

- occupation

Similar information may be obtained regarding significant others (e.g. carers, nearest relative etc.) involved in the case.

We have systems in place to safeguard all personal data we hold. It is held primarily in our computerised filing system but may also be held in paper format.

To this end, please note the following:

- We use the information you provide primarily for the purposes of our contract with you to provide services to you and for related purposes including:
  - Updating and enhancing client records
  - Analysis to help us manage our practice
  - Statutory returns.
  - Legal, regulatory, accountancy and accreditation compliance
- Our use of information is subject to your instructions, the DPA, GDPR and our duty of confidentiality (see above). Please note that our work for you may require us to give and obtain information about you to third parties such as health and social care professionals, expert witnesses, and other professional advisers. We will ask you to sign a form specifically consenting to the sharing of such information. You can withdraw that consent by telling us in writing.
- We endeavour to maintain the security of personal details at all times. All staff are trained in this regard. All necessary and appropriate action proportionate to any problem identified will be taken in the event of any inadvertent breach that may occur despite our best efforts.
- **You have a right of access under data protection legislation to the personal data that we hold about you – please contact us and speak to the Data Protection Officer (DPO – Helen Scott) if you require access.**
- **We may also need to allow third parties access to our computerised filing system for maintenance, upgrading and troubleshooting purposes.**
- **We may from time to time send you information which we think may be of interest to you. If you do not wish to receive that information please notify our office in writing.**

#### **4. What if you are unable to provide the requested data?**

If you are unable to provide this data we may be unable to act for you. The Solicitors Regulation Authority Code of Conduct requires that we are obliged to obtain certain details from our clients. This is required by law (including for anti-money laundering purposes). If you are unable to provide the requested information and satisfactory Identification documentation then we may not be able to act for you.

#### **5. What we do with the information we gather**

We may use the information to allow us to contact you to respond to your query and in order to provide our legal services to you.

We will not share, sell or distribute your personal information to third parties without permission or unless required to provide our services to you. There are limited exceptions to this:

We may be required to share your personal data with third parties from time to time. For example:

We may be required to do so by law or comply with the contractual obligations we are subject to.

We may be required (in urgent circumstances) to protect the personal safety of clients or the public.

We may also need to share your information with third parties (including but not limited to) Courts, HMRC, The Probate Registry, Estate Agents, Surveyors, the Solicitors Regulation Authority and the Law Society.

## **6. Controlling and retaining your personal data and your rights**

We retain your personal data for no longer than is necessary for the purposes for which it was provided.

Under the General Data Protection Regulations you have a number of rights. These include rights to:

- Fair and transparent processing of your personal information
- Access to your personal information
- Correction to any incorrect information which we hold
- Erasure of personal information concerning you in certain situations
- Object at any time processing of personal information concerning you for direct marketing
- Object in certain situations or otherwise restrict our continued processing of your personal information

## **7. Storage of Information and security**

It is important to us that your information is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and other procedures to ensure your information is secure.

Access to your personal data is limited to those who have a need to know it. Those processing your information will do so only in an authorised manner and will be subject to a duty of confidentiality.

We also have procedures in place in the unlikely event that a data breach occurs.

Following the conclusion of a matter we will store your file electronically for a period of not less than six years. When your account has been settled in full it will be open to you, if you do not want us to store your file for you, to ask us to give you your file for you to keep (subject to above). We do not charge for storage of files or for providing an electronic copy however we reserve the right to charge for providing a paper copy if it is reasonable to do so. At the end of 6 years we will destroy your file without further notice to you.

#### **8. Review**

This policy will be reviewed annually to verify it is up to date and in effective operation across the practice.