

## CLIENT PRIVACY POLICY STATEMENT

Ennis-Webb & Co respects your privacy and is committed to protecting your personal data.

Ennis-Webb & Co is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy policy).

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the DPO using the following details:

Full name: Mrs Fiona Ennis-Webb

Email address: fiona@enniswebb.co.uk

Postal address: Ennis-Webb & Co Solicitors, Elite House, 155 Main Road, Biggin Hill, Kent. TN16 3JP

Telephone number: 01959 577000

This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you. **Please read the privacy policy and the glossary carefully.**

### **PURPOSE OF THIS PRIVACY POLICY**

This privacy policy aims to give you information on how we collect and process your personal data through your use of this website.

This website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

### **CHANGES TO THE PRIVACY POLICY & YOUR DUTY TO INFORM US OF CHANGES**

We keep our privacy policy under regular review. This version was last updated on 10 December 2018.

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.

### **THIRD PARTY LINKS**

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

## **THE INFORMATION 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 the following information about you:

- **Information relating to your identity** including your full name, any maiden names, date of birth, marital status, gender, username, password, address, email address, telephone number, national insurance number and other identity information which you have provided such as your passport, driving licence, utility bills and national identity card.
- **Financial information** such as your income, bank account and payment card details, credit history and records relating to you, your partner or anyone else you are financially linked with (we obtain this information from credit reference and fraud prevention agencies).
- **Details relating to your employment or self-employment.**
- **Information about your circumstances** including your family, lifestyle, financial and social circumstances.
- **Technical Information** including internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.
- **Information relating to how you use our website, products and services.**
- **Marketing Information** including 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 could be derived from your personal data but is not considered personal data in law as this data will **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 policy.

## **SPECIAL CATEGORIES OF PERSONAL DATA**

We do not generally collect any **Special Categories of Personal Data** about you (this includes details about 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).

However, we will collect and process this information **with your agreement** if:

- a) You have voluntarily provided it to us ; or
- b) It is relevant to the legal service you have asked us to provide you with.

Where possible we will seek to minimise the collection and use of such data.

## **HOW WE COLLECT YOUR DATA**

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

- **Direct interactions.** You may give us your personal or financial information by filling in forms or by corresponding with us by post, phone, email or otherwise.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using server logs and other similar technologies.
- **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources as set out below:

Technical data from the following parties:

- (a) analytics providers such as Google based outside the EU;
- (b) advertising networks
- (c) search information providers
- (d) identity and contact data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

## **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:

- To comply with legal obligations for the prevention of financial crime and money laundering;
- To provide legal services to you; and
- To provide and service your relationship with us.

We will process your information in order to meet our contractual obligations to you, where we have a legitimate interest to do so and where we are permitted by law or to comply with applicable laws and regulations.

The table below describes all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

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 if you need 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.

<b>PURPOSE</b>	<b>LEGAL BASIS</b>
To assess your needs and provide you with suitable products and services.	<ul style="list-style-type: none"><li>• To meet our contractual obligation to provide you with a proposal including a costs estimate.</li><li>• Where special categories of personal data are processed, these are necessary to assess your needs.</li></ul>

To service and administer your matter including billing.	<ul style="list-style-type: none"> <li>• Legitimate interest to provide and manage the service.</li> </ul>
To verify the identity of our clients.	<ul style="list-style-type: none"> <li>• To comply with legal obligations and prevent money laundering.</li> </ul>
To confirm, update and improve our client records.	<ul style="list-style-type: none"> <li>• To comply with legal obligations in Data Protection legislation.</li> </ul>
To provide you with any information on the services that you have requested.	<ul style="list-style-type: none"> <li>• To meet our contractual obligation to provide information on the services you have requested.</li> </ul>
To manage and develop our relationship with you.	<ul style="list-style-type: none"> <li>• Legitimate interest to service your matter and improve our service to you.</li> </ul>
To inform you of products and services that may be of interest to you, where you have chosen to be made aware of this.	<ul style="list-style-type: none"> <li>• With your consent.</li> </ul>
For training purposes and to improve our service to you.	<ul style="list-style-type: none"> <li>• Legitimate interest to improve our services and develop our employees.</li> </ul>
To prevent, investigate and prosecute crime, fraud and money laundering.	<ul style="list-style-type: none"> <li>• To comply with legal obligations for prevention of financial crime and money laundering.</li> </ul>
For auditing purposes.	<ul style="list-style-type: none"> <li>• To comply with our legitimate interest to conduct audits.</li> </ul>
If we are obliged to disclose information by reason of any law, regulation or court order.	<ul style="list-style-type: none"> <li>• To comply with legal obligations.</li> </ul>
To transfer information to any entity which may acquire rights in us.	<ul style="list-style-type: none"> <li>• Legitimate commercial interest.</li> </ul>
For any other purpose to which you agree.	<ul style="list-style-type: none"> <li>• With your consent.</li> </ul>

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 (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

## **HOW WE RETAIN YOUR DATA**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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, regulatory, tax, accounting or other requirements.

Details of retention periods for different aspects of your personal data are set out in the table below:

<b>DATA</b>	<b>RETENTION PERIOD</b>
General personal data including personal identity and personal financial data.	6 years after the end of our business relationship with you, or the end of your matter whichever is later.
Client Due Diligence material which includes copies of your passport, driving licence, bank statements and any	6 years after the end of our business relationship with you, or the end of your matter whichever is later.

associated documents and explanations you have given us to prevent fraud, financial crime and money laundering.	
Special categories of personal data.	6 years after the end of our relationship with you.

## **HOW WE MAY SHARE YOUR DATA**

Where necessary we share information with:

- Regulatory authorities to comply with our legal obligations.
- Credit reference agencies to comply with our legal obligation to check your identity.
- Insurers for the purpose of providing you with appropriate financial cover for an identified insurable risk, or in connection with any claim made by you against us.
- Other solicitors involved in your matter to enable them and us to fulfil our obligations to you.
- Government Departments such as HMRC, Companies House, Probate Registry, Court of Protection or HM Land Registry to fulfil both our and your legal obligations.
- Experts and Barristers required to work on your matter.
- Our Auditors and external assessment bodies to achieve and maintain any Regulatory or Quality Assurance Standards and accreditations which meet our legal obligations and enable us to provide quality legal services to you.

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.

## **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 contact us.

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.

## **MARKETING**

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

advertising.

We may use your identity, contact, technical, usage and profile data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from and you have not opted out of receiving that marketing. You can ask us or third parties to stop sending you marketing messages at any time by contacting us. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a purchase of our services.

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

## **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 have a business 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.

## **INTERNATIONAL TRANSFERS**

We do not transfer your personal data outside the European Economic Area (EEA).

## **YOUR LEGAL RIGHTS**

You have the right to:

- 1. 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.
- 2. 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.
- 3. 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.

4. **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.
5. **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.
6. **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.
7. **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.

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 could refuse to comply with your request in these circumstances.

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.

We try to respond to all legitimate requests within one month. Occasionally it could 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.

## **COMPLAINTS**

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](http://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.

You can contact us using the DPO's contact details set out at the beginning of the Privacy Policy.

## **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 contacting us.

**Performance of Contract or Comply with Contractual Obligations**

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 obligation**

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