



Huggins Lewis Foskett Solicitors – Privacy Policy

Introduction

This privacy policy sets out how Huggins Lewis Foskett Solicitors (HLF) collect, use, share and protect your personal data.

Huggins Lewis Foskett is an independent law firm authorised and regulated by the Solicitors Regulation Authority, SRA number 61515. Our usual address is 5/6 The Shrubberies, George Lane, South Woodford, London E18 1BG.

Maintaining the security of your data is important to us and we are committed to respecting your privacy. We undertake to handle your data fairly and legally at all times. We are also committed to being transparent about what data we collect and how we use it.

What is Personal Data and Special Data?

Personal Data is defined in the General Data Protection Regulation (GDPR) as any information relating to an identified or identifiable natural person. It can include obvious data such as your name and address or date of birth but also financial details and contractual details.

Special Data (Special Data) is a type of Personal Data regarding a person's race or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data, data concerning health or concerning a person's sex life or sexual orientation.

Additional Definitions

"Data Controller"	HLF will act as a 'data controller'. That means we are
	responsible for determining the purposes and means of the
	processing of Personal Data;

"Data Protection Legislation" means the General Data Protection Regulation ((EU)

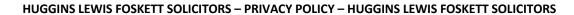
2016/679) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then any successor legislation to the GDPR or the Data Protection Act 1998;

the GDPR of the Data Protection Act 1998,

"Engagement Letter" means, in relation to any Matter, the terms of business letter (or other agreement) recording the basis of our

engagement;

"Matter" means any specific transaction, dispute or issue in relation to which you ask us to provide Services whether or not it





has been defined in an Engagement Letter or other

agreement;

"Partners" means the partners appointed from time to time at HLF

"performance of a 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;

"Services" means all Services we provide to you in relation to a

Matter

This Privacy Notice describes how HLF will collect and use your personal information in the course of providing you with Services in compliance with data protection legislation.

A current version of this document is available on our web-site.

HLF will act as Data Controller.

1. Policy Statement

- 1.1 In accordance with the Data Protection Legislation principles, Personal Data held about you will be:
 - Used lawfully, fairly and in a transparent way.
 - Collected only for valid purposes that HLF has clearly explained to you and not used in any way that is incompatible with those purposes.
 - Relevant to the purposes we have told you about and limited only to those purposes.
 - Accurate and kept up to date.
 - Kept only as long as necessary for the purposes we have told you about.
 - Kept securely.



- 1.2 It is important that the Personal Data we hold about you is accurate. Please keep us informed if your personal information changes during your working relationship with us.
- 1.3 We will only take instructions from you or any person that you have authorised in writing.

Procedure

- 2.1 HLF will collect, store, and use the following categories of Personal Data about you:
 - Full name and personal details (including ID, title, passport number, NI number, job title and date of birth).
 - Contact information (including address and address history, email address, home and mobile telephone numbers).
 - Financial details (including bank account details, bank statements to evidence funding, tax status information for fraud prevention purposes and payment data, such as data necessary for processing payments and fraud prevention, including credit/debit card numbers, security code numbers and other related billing information collected from publicly available resources and credit agencies.
 - Family and lifestyle circumstances if relevant to the Matter (including marital status, details of family members, planned holiday dates, understanding of English and family connections with politically exposed persons).
 - Information about your use of our IT, communication and other systems and monitoring information.
 - Details of your visits to our offices.
 - Information collected from your use of our website such as profile data (including name, email address and contact details, details of the services or updates you request and marketing preferences) usage data (including details of the services you viewed or searched for, page response times, download errors, length of visits and page interaction information) and technical data (including internet protocol address, browser type and version, time zone setting, browser plug in types operating systems and platforms).
- 2.2 In accordance with the type of Service being provided, HLF may collect, store, and use the following categories of Personal Data about you together with any other documents or information relevant to your Matter:



• Wills and Lasting Powers of Attorney

Death certificates, details of funeral directors, ID, pension arrangements and contact details of beneficiaries and executors.

• <u>Dispute Resolution</u>

Photographs, video recordings and Special Data

Commercial Property

HLF details, VAT registration numbers, utility bills and details of charges e.g. mortgage lenders.

• Residential Property

Related transactions, property occupants and utility bills

• Employment and Benefits

Employer, status, salary, pension and benefits information, location of workplace, work history, records relating to sickness, attendance, performance, disciplinary, conduct and grievances

Costs

Medical records, social media accounts and details of opposing parties

Company Commercial

Company details, VAT registration numbers, shareholdings, directorship, job descriptions and specifications, salary, benefits and medical records.

• Family

Family details, financial information, your children's details and details of their education, information about you received from the Social Services or Cafcass.

- 2.3 We may also collect, store, use and share with the Legal Aid Agency the following Special Data:
 - Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions



- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

3. SPECIAL DATA

- 3.1 As referred to the Introduction, Special Data is Personal Data referring to particularly sensitive personal information and requires higher levels of protection and further justification for collecting, storing and using this type of personal information.
- 3.2 We may process Special Data in the following circumstances:
 - With your explicit written consent; or
 - Where we need to carry out our legal obligations or exercise rights in connection with employment.
- 3.3 We may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
- 3.4 Where seeking consent, we will ensure that consent is freely given, specific, informed and an unambiguous indication of your wishes, statement or clear action showing agreement to the processing of their Personal Data.
- 3.5 HLF will not require your consent to use Special Data in accordance with this Notice to carry out our legal obligations or exercise specific rights. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

4. HOW YOUR PERSONAL INFORMATION IS COLLECTED AND USED

- 4.1 HLF will collect personal information about you whilst we are performing Services in relation to your Matter.
- 4.2 Information will be collected in a number of ways including:
 - Directly from you;
 - During the course of dealings with you for or on behalf of our clients;



- When you provide information to us by filling in forms on our website;
- When you contact us, we may monitor and keep a record of that correspondence (in whatever form);
- When we collect publicly available information about you or your business (including through electronic data sources such as Companies House or Land Registry);
- When we collect your Personal Data directly from third parties. For example, our clients (such as information about their employees, family members, counterparties, your advisors and your suppliers) or other parties involved in legal proceedings (such as the opponent's solicitor);
- Government agencies;
- From third parties where you have given permission to those third parties to share your information with us (such as bank or building society, financial advisors, consultants and other professionals);
- Where you have made that information publicly available online;
- As you interact with our website, we may collect data about your equipment, browsing actions and patterns using cookies and other similar technologies when visiting our website, registering to receive email updates or using any other service on our website.
- 4.3 When you provide Personal Data to us relating to any third party, you confirm that you have any necessary consents or authority to do so. You are also responsible for ensuring that that provision of Personal Data complies with data protection and other applicable law. You must have the authority to disclose Personal Data if it related to someone else and all data disclosed should be complete, accurate and up to date.
- 4.4 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 HLF must perform the contract we have entered into with you to provide Services in accordance with your instructions.
 - Where HLF must comply with a legal obligation.



- Where it is necessary for our legitimate interests (or those of a third party) for business or commercial reasons and your interests and fundamental rights do not override those interests. We make sure that we consider and balance any potential impact upon you before processing your Personal Data; or
- Where you have given explicit consent to do so.
- 4.5 HLF may also use your Personal Data in the following situations, which are likely to be rare:
 - Where we need to protect your interests (or someone else's interests);
 or
 - Where it is needed in the public interest or for official purposes.
- 4.6 Regarding the lawful basis for our processing, most commonly we will rely on the performance of a contract with you, or alternatively that the processing is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests, or that the processing is necessary to comply with a legal obligation. Generally, we do not rely on consent as a legal basis for processing Personal Data other than to send marketing communications.
- 4.7 HLF may in the following situations require the listed categories of personal information to allow us to perform our contract with you:
 - To contact you in the course of providing you with our Services
 - To assess whether we can act on your behalf and assist you with your Matter, to determine the terms of engagement, to take steps to enter into a contract, to manage and administer the contract, to provide you with our Services and to ensure that our records are kept updated
 - Updating and maintaining client records
 - To deal with your enquiries and requests
 - To provide you with any information or Services that you request from us
 - If we are working on your Matter with other professionals including banks, mortgage lenders, estate agents, financial advisors etc. we will share data and disclose relevant data and information regarding your Matter where necessary. If you do not wish for us to do so, please notify your file handler in writing.



- 4.8 HLF may in the following situations require the listed categories of Personal Data to allow us to comply with our legal obligations:
 - To comply with our legal and professional responsibilities and related disclosures, for activities relating to the prevention, detection and investigation of crime and comply with audits of regulatory bodies (such as conducting checks to identify and verify clients and their identity);
 - To comply with court orders and exercises and/or defend our legal rights;
 - Collecting and providing information required by or relating to audits, enquiries or investigations by regulatory bodies; and
 - To ensure safe work practices including the rights and safety of our employees and clients
- 4.9 HLF may in the following situations require the listed categories of Personal Data 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
 - For monitoring and assessing compliance with our business policies and standards for internal compliance and security purposes;
 - For insurance purposes;
 - Staff education, training and development requirements and to analyse and improve our Services to you;
 - Improving our business and Services by conducting analysis and research including data in relation to our financial performance, client base, work type or efficiency measures;
 - To send client feedback forms to ensure that we continually monitor and improve our Services;
 - To comply with court orders and exercises and/or defend our legal rights; and
 - To enable access to all parts of our website, to notify you of any changes or developments to our website and to use, analyse information to administer, support, improve and develop our website (including troubleshooting, testing, system maintenance and support).
- 4.10 HLF may process your Personal Data with your express consent to contact you to provide information about our Services, and to advise you of news and industry



updates, events, promotions, reports and other information, and to carry out market research that we hope will be of interest to you.

- 4.11 HLF may in the following situations process Special Data:
 - When you instruct us on a Matter where this information is relevant such as a discrimination claim;
 - Where this information is required to answer security questions such as Companies House when incorporating a legal entity on your behalf; and
 - If you provide medical or dietary information when attending a meeting or event
- 4.12 In the unlikely event that we engage in marketing- related communications, we will only provide you with such information after you have positively opted in by providing your express consent. If you later change your mind, you will have the opportunity to withdraw your consent and opt out at any time by emailing gdpr@huggins-law.co.uk Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.
- 4.13 Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.
- 4.14 If you fail to provide HLF with Personal Data when requested, we may not be able to perform the contract we have entered into with you and/or to provide the Services, or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our staff).

5. WEBSITE LINKS

In the event that our website contains links to other websites, plug-ins and applications, we are not responsible for the privacy practices of such other websites and advise you to read the privacy policy of each website which collects Personal Data.

6. COOKIES

- 6.1 Cookies are small data files which are stored on your computer or device when you visit a website containing information about the user. Cookies enable the website to remember information about you and your preferences.
- 6.2 We use cookies for our content management system that is used to manager our website internally. These cookies are used to monitor the date of your



last visit to the Firm website and to ensure that you are shown the most up to date version of content. They also store form redirects and data useful to the system administrators who maintain the Firm website. We also use cookies to collect anonymous information that helps us to understand visitor browsing habits on our website and to produce statistical reports on our website activity.

6.3 You can manage restrictions on cookies via your web browser. The 'Help' functionality in your web browser should provide information on how to change these preferences. Alternatively, please visit http:://tools.google.com/dlpage/gaoptout. If you disable or refuse cookies, please note that some parts if the website may become inaccessible or may not function correctly.

7. CHANGE OF PURPOSE

- 7.1 We will only use your personal information 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 we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.
- 7.2 Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

8. AUTOMATED DECISION MAKING

- 8.1 Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. HLF may use automated decision-making in the following circumstances:
 - Where it is necessary to enter or perform a contract with you and appropriate measures are in place to safeguard your rights.
 - Where HLF must comply with laws and appropriate measures are in place to safeguard your rights; and
 - With your explicit written consent and where appropriate measures are in place to safeguard your rights.
- 8.2 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 we need to use



your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

9. SHARING YOUR DATA

- 9.1 HLF will only transfer Personal Data where required by law, where it is necessary for the performance of our contract with you or where we have a legitimate reason for doing so. This could include sharing Personal Data with the following:
 - Solicitor Regulation Authority (SRA) which is our regulatory body;
 - Lexcel and assessors (currently Recognising Excellence), to maintain a recognised quality standard for the practice;
 - EQA assessment body, or any other body to maintain a recognised quality standard and information security standard for the practice;
 - External auditors or examiners to ensure that we meet out legal, quality and financial management standards;
 - Courts, law enforcement authorities, regulators or other parties where necessary for the establishment, exercise of defence of legal proceedings;
 - HLF's professional indemnity insurer;
 - HLF's bank and financial advisors;
 - Government organisations, such as the Legal Aid Agency;
 - Professional advisers who we instruct on your behalf or refer to you including barristers, medical professionals, accountants, tax advisors, mediators or other experts and specialists;
 - Other parties where necessary to carry out your instructions such as Land Registry and Companies House;
 - Companies providing services for ID checks, money laundering checks and other fraud and crime prevention purposes;
 - If we have collected your Personal Data in the course of providing a legal service to our client, we may disclose it to that client and where permitted by law to others for the purpose of providing those legal services;



- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this Privacy Notice;
- 9.2 HLF may have to share your data with third parties, including third-party service providers where we have instructed them to process Personal Data on our behalf.
- 9.3 All third-party service providers are required to take appropriate security measures to protect your Personal Data in line with our policies. We remain responsible for your Personal Data and will use appropriate safeguards to ensure the integrity and security of your Personal Data. We do not allow our third-party service providers to use your Personal Data for their own purposes. We only permit them to process your Personal Data for specified purposes and in accordance with our instructions.

10. INTERNATIONAL TRANSFERS

- 10.1 In order to deliver services to you it is sometimes necessary for us to transfer your Personal Data outside the European Economic Area (EEA), for example:
 - if you or we have service providers located outside the EEA;
 - if you are based outside the EEA;
 - where there is an international dimension to the Matter on which we are advising you.
- 10.2 In such circumstances, it may be necessary to transfer the personal information we collect to countries outside of the EEA which do not provide the same level of data protection as the country in which you reside and are not recognised by the European Commission as providing an adequate level of data protection. We only transfer personal information to these countries when it is necessary for the services we provide you, or it is necessary for the establishment, exercise or defence of legal claims or subject to safeguards that assure the protection of your personal information, such as European Commission approved standard contractual clauses.
- 10.3 In certain circumstances we may need to ask your consent unless there is an overriding legal need to transfer the Personal Data.
- 10.4 If we transfer your Personal Data to other countries, we will use, share and safeguard that information as described in this Notice.



11. DATA SECURITY

- 11.1 HLF has put in place appropriate security measures against unlawful or unauthorised processing of Personal Data, and against the accidental loss of, or damage to, Personal Data.
- 11.2 In the unlikely event of a Personal Data security breach such as Personal Data being lost or shared inappropriately, we have procedures in place take appropriate action immediately to minimise any associated risk. We will notify you and any applicable regulator of a suspected Personal Data security breach if we are legally required to do so.

12. DATA RETENTION

- 12.1 HLF will retain your Personal Data held in your file for a period of time depending on the nature of your Matter and/or the purpose for which it was collected. When determining this period, we will consider fulfilling the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements and where required, for the establishment, exercise or defence of legal claims
- 12.2 Following this period of time, your physical and electronic files shall be securely and safely destroyed.
- 12.3 Where we have been specifically asked to retain particular documents (such as Wills, Deeds or Securities), these will continue to be stored at no extra charge notwithstanding the destruction of your files in accordance with paragraph 12.2 above
- 12.4 In the event that our charging policy referred to in clause 12.3 above changes, we will notify you before offering you the choice to continue to store documentation with us or whether you wish for us to return it to you.

13. DATA RIGHTS

- 13.1 HLF will process your Personal Data in accordance with your rights including the following:
 - Right of access. You have the right to access your Personal Data, in order to
 be aware of, and verify, the lawfulness of processing. There are exceptions
 to this right and access could be denied. This information shall be provided
 without charge. However, hawse have a discretion to charge a reasonable
 fee based upon the administrative cost where the request is unfounded,
 excessive or repetitive. We may need information from you to help us



confirm your identity to ensure that Personal Data is not disclosed to any person who has no right to receive it.

- Right to rectification. You have the right for your Personal Data to be rectified if it is inaccurate or incomplete. If this data has been shared with third parties, we will inform them of the recitification .Please ensure that you inform us if your Personal Data is not accurate or if it changes so we may endeavour to keep this up to date.
- **Right to erasure**. You have the right to ask us to delete Personal Data where it is no longer necessary for the purpose it was collected or where you withdraw consent. If yourPersonal Data has been shared with third parties, we will inform them of the erasure. We may not always be able to comply with your request for erasure and may have to refuse to erase your Personal Data to the extent processing is necessary for compliance with a legal obligation to which we are subject. Primary instances of your Personal Data in our electronic systems will be erased as swiftly as possible. Personal Data in backup archives are protected by strong encryption and retained for as little time as necessary before being automatically deleted. Personal Data may remain in our backup archives if it is impractical to isolate your individual data. Please be assured that after your right to erasure has been exercised, your Personal Data will not be restored back to production systems except in certain rare instances such as the need to recover from a natural disaster or serious security breach. If this rare instance was to occur and your Personal Data was restored from backups, we will take the necessary steps to erase the primary instance of your Personal Data again.
- **Right to restrict processing.** You have the right to ask us to suspend processing your Personal Data in the following scenarios:
 - (a) if you want us to establish the accuracy of your Personal Data;
 - (b) where our use of your Personal Data is unlawful but you do not want us to erase it;
 - (c) where you need us to hold your Personal 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 Personal Data but we need to verify whether we have overriding legitimate grounds to use it.
- Right to data portability. You have the right to obtain your Personal Data from us in order to transfer to a third party. Upon receiving your instruction, we will send your Personal Data to you or the third party in a commonly used and machine-readable format within one month of the request.



- Right to object. In certain circumstances, you have the right to object to
 the processing of your Personal Data and you may ask us to block, erase or
 restrict your Personal Data on grounds relating to your situation and we
 will stop immediately unless we demonstrate legitimate grounds for the
 processing
- Right to withdraw consent. Where we are relying on your consent to the processing of your Personal Data, you have the right to partly or fully withdraw your consent. To do so, please contact us at the contact details which can be found below. Once we have received notification that you have withdrawn your consent, we will no longer process your Personal Data for the purposes to which you originally consented unless (other than in relation to marketing) there are compelling legitimate grounds for further processing which override your interests, freedoms or for the establishment, exercise or defence of legal claims.
- 13.2 If you wish to enforce any of the rights listed above, please email gdpr@huggins-law.co.uk or write to us at our office address. Please mark all correspondence for the attention of our Practice Administrator; Michelle Yetman.
- 13.3 We will require information to identify you and will request proof of your identity.
- 13.4 If you are unhappy about the way we manage your Personal Data, please do contact us and we hope that we will be able to resolve any query or concern that you may have.
- 13.4 You also have the right to make a complaint at any time to (1) the Solicitors Regulation Authority which can be contacted at www.sra.org.uk or by telephone on 0370 606 2555 and (2) the Legal Ombudsman which can be contacted at www.legalombudsman.org.uk or 0300 555 0333 and (3) the Information Commissioner's Office (ICO), which is the UK supervisory authority for data protection issues. The ICO can be contacted at www.ico.org.uk/concerns or 0303 1231113. We would, however, appreciate the chance to deal with your concerns before you approach the SRA, Legal Ombudsman or the ICO and so please do contact us in the first instance.

14. CHANGES

14.1 We reserve the right to update and change this Notice from time to time in order to reflect any changes to the way in which we process Personal Data and in response to guidance and best practice advice issued by the ICO. Any changes to our privacy policy in the future will be posted to our Firm website. Please ensure that you check this for any updates or changes.