

General Data Protection Regulations (GDPR) Privacy Notice

The General Data Protection Regulation (GDPR) is a new, European-wide law that replaces the Data Protection Act 1998 in the UK and came into effect on 25th May 2018. It places greater obligations on how organisations handle personal data.

Parfitt Cresswell are committed to protecting and keeping confidential all the information you provide to us subject to certain legal duties that are set out in our Terms of Business. We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

Who we are

Parfitt Cresswell Limited is authorised and regulated by the Solicitors Regulation Authority (SRA) under SRA registration number 8003996. Parfitt Cresswell Limited (also trading as Charles Coleman & Co, Colemans, Copley Clark, Keene Marsland, Jevons Riley & Pope, Max Barford & Co., and Parfitt Cresswell) collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws.

The personal information we collect, use and share

Information collected by us

In the course of your legal transaction we collect the following personal information when you provide it to us:

- Name, address, date of birth, contact information (telephone and email - where appropriate), National Insurance number (where appropriate) and bank account details (where appropriate).

- Identity information and documentation.

- Additional information in relation to your legal transaction to enable us to advise you and progress your transaction. This will depend on the nature of the work we are undertaking on your behalf.

Information collected from other sources

We also obtain personal information from other sources as follows:

- Identity information obtained from electronic anti-money laundering searches

- Credit reference agencies and other agencies or government departments

How we use your personal information

We use your personal information to:

- Enable us to provide you with a legal service in accordance with your instructions and for related purposes including verification of identity, administration of files and updating existing records

(if you have instructed the firm previously), for statutory returns and legal and regulatory compliance and for statistical analysis for improving the management of the firm. This will include communicating with you and notifying you of progress or of any issues relating to such instructions. We use your information to carry out and exercise our rights and obligations arising from your instructions both during and after termination of the retainer.

The information will be held in both hard copy and electronic format.

You are responsible for ensuring the accuracy of all personal data you supply to us and we will not be held liable for any errors unless you have previously advised us of any changes to your personal data.

We will only take instructions from you or someone you authorise to act on our behalf in writing.

Where you act as an agent or trustee, you agree to advise your principal or beneficiary of the trust that their personal information will be held by us and processed on these terms.

Who we share your personal information with

In the course of your transaction, we routinely share your name and address details and particulars of your instructions with other professionals who are advising you including experts, barristers, banks, building societies, mortgage lenders, estate agents, costs draftsmen, accountants, surveyors, valuers, HMRC, HM Courts & Tribunals, HM Probate Registry, HM Land Registry and matrimonial counsellors. We will assume, unless you notify us otherwise, that we may share and disclose relevant personal data and information about your transaction with them if we feel it is appropriate and necessary. We outsource our accounting processes and on occasion, typing or other support work to other trusted companies and we will always obtain a confidentiality agreement with these outsourcing providers to ensure they keep the information we send them securely and confidentially.

We use a private, secure, cloud computing service to assist us in processing and protecting your information and keeping it secure from the risks of cybercrime and fraud. All IT providers we use are subject to confidentiality agreements with the firm and we will ensure they meet GDPR obligations in relation to the service they provide to us. All the personal information you provide to us is kept in the UK and we will not transfer any of your personal data to another country unless you specifically instruct us to do so.

There may be occasion when we are under a legal duty to share personal information with law enforcement or other authorities, including the SRA or the Information Commissioner. If we are required to disclose information to the National Crime Agency, we may not be able to tell you that a disclosure has been made. We may have to stop working for you for a period of time and may not be able to tell you why. We cannot be held liable for any loss you suffer due to delay or our failure to provide information in these circumstances.

Our client files may be audited by external auditors or examiners to ensure we meet our legal, quality and financial management standards. These audits take place on a strictly confidential basis although some information may be disclosed to our professional indemnity insurers. Unless you tell us otherwise, we will assume you have no objection.

We will share personal information with law enforcement or other authorities if required by applicable law.

We will not share your personal information with any other third party and will not issue any publicity material (including testimonials received from you) or information with any third party or information to the media about our relationship and the work we are doing for you without your explicit consent.

How long your personal information will be kept?

We will hold the personal information referred to above and the paper and/or electronic file relating to your transaction for a period of time depending on the type of work carried out for you. We will confirm this to you at the end of the transaction. After this period of time the file will be destroyed

confidentially without further reference to you. In order to meet our statutory requirements, we may continue to retain basic information about you to include your name, address and date of birth on our electronic database for a longer period of time.

Reasons we can collect and use your personal information

We rely on:

- (a) you as the data subject have given consent to the processing of your personal data for one or more specific purposes;
- (b) processing is necessary for the performance of the contract to which you are party or in order to take steps at the request of you prior to entering into such contract;
- (c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- (d) processing is necessary in order to protect the vital interests of you or of another natural person;
- (f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

As the lawful bases on which we collect and use your personal or sensitive data or information.

The personal information referred to above as provided by you will mean that we and other recipients such as third-party suppliers and providers will be in receipt and have knowledge of all such information which will be stored on paper and/or electronically to enable us to communicate effectively with you and provide legal services in accordance with your instructions.

Keeping in touch

Information about the firm, newsletters, blogs and articles are available on our website www.parfittcresswell.com

We would like to keep in touch with you and let you know periodically about information that may be of specific interest to you or to let you know about events or developments in the firm. We ask you to provide your email address and give us your specific confirmation that you wish to 'opt in' to us sending you this information. If you provide your consent, you may withdraw it at any time by contacting us to confirm that you no longer want us to contact you. If you provide your consent, we may use third party software and services to assist us in relation to processing our marketing communications, but we will ensure confidentiality agreements are in place and will never disclose your information to third parties to use for their own marketing purposes. If we are holding documents for you in our safekeeping such as Wills or Deeds, we may rely on legitimate interests as the reason for contacting you in the future. We will only do this where we feel it would be of benefit to you or where we need to update you in relation to our terms of business.

We will not normally transfer your personal data out of the EEA. If circumstances in your transactions require the transfer of your personal data out of the EEA, we will contact you to provide further information. Further information is contained in our Privacy Policy.

Your rights

Under the GDPR you have a number of important rights free of charge. Further information about these rights is available on the Information Commissioners website www.ico.org.uk/for-the-public

If you would like to exercise any of those rights, please:

email, call or write to our Privacy Officer.

let us have enough information to identify you and let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and

let us know the information to which your request relates including any account or reference numbers, if you have them.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

How to complain

We hope our Privacy Officer can resolve any query or concern you raise about our use of your information.

The GDPR also give you right to lodge a complaint with a supervisory authority. 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.

Changes to this privacy notice

This privacy notice was published on 1st May 2023.

We may change this privacy notice from time to time, when we do we will inform you via our website or by a direct communication to you.

How to contact us

Please contact our Privacy Officer if you have any questions about this privacy notice or the information we hold about you.

If you wish to contact our Privacy Officer please send an email to privacy@parfittcresswell.com or write to Parfitt Cresswell 8 Chelsea Gate Studios, 115 Harwood Road, London SW6 4QL, or call 0207 381 8311

Do you need extra help?

If you would like this notice in another format, please let us know.