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## **Our Privacy Policy for Clients and Contacts (Lexcel 6.1 compliant)**

### **Purpose**

We are required to manage the way we hold personal data about actual persons in order to meet our legal, regulatory and operational obligations. We want to reassure all our clients and contacts that we take our responsibilities seriously.

### **What data do we hold?**

As lawyers, we have always held personal data about our clients, staff, suppliers and others. This personal data, whether it is held on paper, on computer or other media, is subject to certain legal safeguards as specified in the Data Protection Act 2018 which gives effect to the General Data Protection Regulation (“GDPR”). The Act contains some very important rights and obligations to protect the integrity, storage, confidentiality and ultimately, appropriate disposal, of personal data.

### **Obtaining a copy of this Policy**

Copies of this policy can be supplied by email, on paper, on our website and in person at our offices: just ask.

### **Our Data Protection Manager**

This policy tells you what to expect when we collect personal information (personal data). Minton Solicitors Ltd trading as Minton Morrill is the data controller for the data we collect: you can find our contact details below. Our Data Protection Manager is Sahida Patel who can be contacted on 0113 245 8549 and she is authorised by us to be the contact point in the practice for any concerns or questions about data protection. If you do not understand this document, please contact our Data Protection Manager, who will be able to help you.

If you need to have this information in another format (for example, in a larger font or in another language) to understand it, please let our Data Protection Manager know.

### **Who is affected by this policy?**

This policy applies to information we collect about:

- clients and former clients;
- job applicants, contractors, work experience personnel and providers of outsourced services;
- people who make enquiries or requests under the Data Protection Act 2018;
- visitors to our website.

## **The Data Protection principles**

The Data Protection Act 2018 regulates the use of personal information held by us. This means we must comply with six data protection principles which say that personal data needs to be:

- processed fairly, lawfully and transparently;
- processed only for specified, explicit and legitimate purposes;
- adequate, relevant and limited to what is necessary;
- accurate and, where necessary, kept up to date;
- not kept longer than necessary;
- processed using appropriate security.

## **Meeting these requirements**

In order to meet these requirements we will:

- observe fully the conditions regarding the fair collection and use of personal data;
- meet its obligations to specify the purposes for which personal data is used;
- collect and process appropriate personal data only to the extent that it is needed to fulfil operational or any legal requirements;
- ensure the quality of personal data used;
- apply strict checks to determine the length of time personal data is held;
- ensure that the rights of individuals about whom the personal data is held, can be fully exercised under the Act;
- take the appropriate technical and organisational security measures to safeguard personal data and ensure that personal data is not transferred abroad without suitable safeguards.

## **Keeping our data up to date**

It helps us to keep our data up to date if you:

- check that any personal data you provide to us is accurate and up to date when you give it to us;
- tell us if anything changes e.g. a change of address;
- check that any information we send you is accurate – if we get something wrong, please tell us straight away so we can correct it.

## **Legal basis for processing and transferring data to other countries**

We ensure that the data we collect is processed on a specific legal basis, as set out below. We do not transfer any data outside the EU. If you have any questions on the legal basis below, please contact our Data Protection Manager.

Type of data subject	Basis of processing	Whether this is shared and with whom	When it is destroyed
Clients and former clients	Consent	See Privacy Notice	<p><u>Retention of data</u> We keep some data longer than others. We have a Data Assets Register which enables us to identify which data must be preserved and which data must be erased, to comply with the storage limitation requirements of GDPR.</p> <p>We will keep your personal data only for as long as is necessary to ensure we can fulfil our business requirements and to comply with our regulatory requirements and will then confidentially destroy that data in line with our Data Assets Register.</p> <p>We can retain personal data if we need it to meet our legal, regulatory and operational requirements in accordance with our Data Assets Register.</p>
Job applicants and people who send us speculative employment letters and CVs	Our legitimate business interests (establishing the suitability of the candidate or enquirer) but for no other purpose	As above	As above
Outsourced service providers	See separate table below	As above	As above
People who make enquiries or requests under the Data Protection Act 2018	Our legitimate business interests	As above	As above
People for whom we hold or process data but which has not been obtained from the data subject themselves	Please refer to the section: Holding data about others when we did not obtain it from them	See Privacy Notice	

Type of data subject	Basis of processing	Whether this is shared and with whom	When it is destroyed
Visitors to our website	We do not process this data in any way that could identify the data subject	In order that we can monitor and improve the site, we may gather certain information about you when you use it, including details about your domain name and IP address (this is your computer's individual identification number assigned to your computer when connecting to the internet), operating systems, browser, version and the website that you visited prior to our site. We may do this by way of a cookie as described below.	n/a

### How we store and review data

We operate a central database (case management system) which stores all our client, financial and contact list data. Our Data protection Manager is responsible for ensuring all data entry is accurate, that the database is secure, confidential and that back-ups are made and appropriately secured. She will also regularly complete data cleansing exercises to check our contacts are up to date, e.g. when we are notified of a death, change of address, change of name, withdrawals of consents and opt outs of mailings.

### What information do we collect?

The type of information we may collect and process about you depends on the work we do for you if you are a client. We will need different data if you are one of our workers. Typically we need to know:

- your full name and contact details (i.e. address);
- who you are to us (such as a client, employee or a member of the public) and sometimes (for conflict and professional reasons) how/whether you are related to another client or person;
- your e-mail address and contact numbers;
- your gender (to enable us to address you correctly);
- next of kin, bank details and GP's address if you are a member of staff;
- your current (and occasionally) previous home addresses;
- documents to verify your ID and your bank details for both ID purposes and to make or receive payments;
- CV, if you are a job candidate;

- case-related information, such as consent and information forms we ask you to fill in;
- lifestyle and social circumstances data for certain types of legal work e.g. Divorce. Some of this data is classified as special categories of personal data. To process this type of data we need your explicit consent and we will discuss this with you when appropriate;
- CCTV images (if we monitor premises or where these are received from law enforcement agencies).

In addition, because of the wide ranging nature of our legal work, we may collect other information and data about you and any business you run.

Some information is defined in the Data Protection Act 2018 as special categories of personal data. This is information about you which relates to racial or ethnic origin, political opinions, religious or philosophical beliefs, membership of a trade union, genetic and biometric data processing, health data, data about sex life or sexual orientation. We can only process this type of data with your explicit consent.

## **How and why do we process data?**

### For our clients and former clients

We collect personal information about people who wish us to act for them (our clients) because we need to use that information to progress their work. For example, the type of personal data we normally need might be a client's name, address, email address, identity documents, family members' details, and bank details for processing payments.

We will always ask you for consent to use your personal data before we begin our work for you. We will only ask for the details we need and nothing extra.

### For job applicants and our current and former employees, contractors and work experience personnel

We collect personal information about people who work with us because we need to use that information to run our business. For example, the type of personal data we normally need might be a person's name, address, email address, identity documents, family members' details, and bank details for processing payments. We will use this personal data to administer the contract we have with the people who work with us.

When individuals apply to work with us, we will only use the information they supply to us to process their application. We would obtain their consent to do that. Where we want to disclose information to a third party, for example where we want to take up a reference or obtain a 'disclosure' from the Criminal Records Bureau we will not do so without informing them beforehand unless the disclosure is required by law.

Personal information about unsuccessful candidates will be held for 6 months after the recruitment exercise has been completed, it will then be destroyed or deleted.

Once a person has joined us, we will compile a file relating to their employment. The information contained in this will be kept secure and will only be processed for purposes directly relevant to that person's employment contract. Once their employment has ended, we will retain the file in accordance with the requirements of our Data Assets Register and then destroy it.

**For people who make enquiries or requests under the Data Protection Act 2018**

We may be asked by any person (including clients and former clients) what personal information we hold about them and about their rights under Data Protection Act 2018. In order to respond to such enquiries we will normally ask for some personal data (and we may have to establish the person's ID) for example their name, address and email address.

**For visitors to our website**

When someone visits our website we use a third party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this for example, to show the number of visitors to the various parts of the site. This information is only processed in a way which 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 website.

**Processing data via outsourced services that we use and how we keep records**

The table below gives details of the ways we use personal data and how we keep records of that.

<b>Outsourced service provider</b>	<b>What data is used?</b>	<b>Where is it stored?</b>	<b>Is it shared further?</b>	<b>How is it protected?</b>	<b>When is it destroyed?</b>
Compliance, auditing	We may share personal information for compliance and planned auditing purposes but only where this helps us to fulfil effectively our statutory and regulatory functions	Server, Case management database, Office premises	No	Restricted access	Subject to data retention policy

<b>Outsourced service provider</b>	<b>What data is used?</b>	<b>Where is it stored?</b>	<b>Is it shared further?</b>	<b>How is it protected?</b>	<b>When is it destroyed?</b>
Our professional indemnity insurers	Personal information may be disclosed but only where this helps up to fulfil effectively our statutory and regulatory functions	Server, Case management database, Office premises	No	Restricted access	Subject to data retention policy
ID checks on clients and others	We may use personal information provided to carry out credit checks via online search providers	Server, Case management database, Office premises	No	Restricted access	See privacy notice for clients and contacts
Payroll	We may share personal information with those who provide this service to us.	Restricted computer system	With accountants, HMRC and benefits agency	Restricted access	In accordance with Retention policy
HR functions	We may share personal information to deal with general employment related matters.	Restricted computer system	If appropriate with Legal Expenses Insurers/Legal Advisors	Restricted access	In accordance with Retention Policy
Barristers and experts	Certain information to enable us to lawfully perform our professional services	N/A	No	Subject to Confidentially agreement	See privacy notice clients and contacts
Copying and binding services	Certain information to enable us lawfully perform our professional services in respect of the work which we have been instructed to undertake	N/A	No	Restricted Access/ confidentially agreement	N/A as data is returned.

<b>Outsourced service provider</b>	<b>What data is used?</b>	<b>Where is it stored?</b>	<b>Is it shared further?</b>	<b>How is it protected?</b>	<b>When is it destroyed?</b>
Computer Security, Website and Marketing	We will use certain information to enable us to lawfully perform our professional services	Website	No	Restricted access	See privacy notice for clients and contacts.
Professional and Regulatory bodies	Personal information may be disclosed to our regulators, the Legal Ombudsman, enforcement or government agencies, other regulators or others with a legitimate interest who may keep a record of that information.	See Data Protection Privacy Notice – clients and contacts	We only share information where it is lawful for us to do so, such where it is necessary to do so as part of our, or a third party's, statutory or public function or because the law permits or requires us to. In most cases, we will tell the person whose information we hold that we are sending their information somewhere else.	Restricted access	In accordance with Retention Policy
Costs Draftsman	Certain information to enable us to lawfully perform our professional services	N/A	No	Subject to confidentially agreement	See privacy notice for clients and contacts

### **Holding data about people when we did not obtain it from them**

If we hold personal data about you (for example it has been given to us by someone else, rather than by you directly), we have to provide you with some information, unless you hold that information already. That data will be stored in accordance with our Data Assets Register. It is processed on the basis of our legitimate interest: normally that will be for the purposes of progressing our legal work for the client concerned.

You have a right to know what personal data we hold about you, for it to be corrected if wrong and you have a right to know where that data came from. You have the



right to lodge a complaint with the Information Commissioners Office at <https://ico.org.uk/>.

## **How we use cookies, search engines and blogs**

### Cookies

Cookies are small text files stored on your computer while you are visiting a website. Cookies help make websites work. They also provide us with aggregated information about how users interact with our site. We use this information to try to improve your experience on our website and the quality of service we provide. Cookies help us do this by allowing us to remember personal settings you have chosen at our website. We do not use cookies in any other way to collect information that identifies you personally. Most of the cookies we set are automatically deleted from your computer when you leave our website or shortly afterwards.

Complete information about cookies can be found on our website.

## **How we ensure the security of our website**

We use a third party service to help maintain the security and performance of our website. Our Policy for this can be found on our website.

## **Web analytics**

To improve our web-based services we collect and use overall data about the use of our site from a third-party service, Google Analytics. When visitors use our website Google Analytics sets cookies on their browser. We do not control the use of these third-party cookies and any concerns should be checked with Google's privacy policy.

## **People who email us**

Any email sent to us, including any attachments, may be monitored and used by us for reasons including IT security, appropriate use and for monitoring compliance with our office email policy. Email monitoring, system security and blocking software may be used.

## **Knowing your rights under data protection**

As an individual, you have these rights:

- the right to be informed;
- the right of access;
- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to data portability;
- the right to object;
- rights in relation to automated decision making and profiling.

There is a lot more information on these rights on the Information Commissioner's website at <https://ico.org.uk/>.

## **Your rights in more detail.....**

### Your right to be informed

You have a right to be informed as a data subject of the data we hold and process about you. This policy document is intended to do that. If you have any questions or if you feel that this Policy does not deal with your concerns or questions, please contact our Data Protection Manager on the contact details below.

### Your right of access to personal information and our procedures

We try to be as open as we can about giving people access to their personal information. Individuals can find out if we hold any personal information by making a request under the Data Protection Act 2018. If we do hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy of the information.

To make a request to us for any personal information we may hold you need to put the request in writing addressing it to our Data Protection Manager (contact details below). If you agree, we may try to deal with your request informally, for example by providing you with the specific information you need over the telephone. We will still need to verify your identity if we do this. We will need to satisfy ourselves as to your identity. Please therefore send us proof of who you are so that we know we are sending the information to the right person. We accept the following as proof:

- a copy of your birth certificate;
- a copy of your passport;
- a copy of your driving licence.

Please do not send original documents.

You will also need to let us have a postal or email address so that we can send you the information. We ask that you mark the covering envelope or email as 'Confidential'.

### Your right to rectification

This is a right to ask us to correct any wrong data we hold about you. You can ask us to correct any mistakes by contacting the Data Protection Manager.

### Your right to erasure

This is a right to ask us to delete any data we hold about you. You can ask us to do this by contacting the Data Protection Manager. We will not be able to delete data in situations where there is a legal or regulatory need to retain it and we will explain this

if it happens. We may also be unable to fully delete computer-held data because of system design restrictions and again we will explain this if it happens.

#### Your right to restrict processing

This is a right to ask us to restrict the processing of any data we hold about you. You can ask us to do this by contacting the Data Protection Manager.

#### Your right to data portability

You have a right to ask us to transfer certain data to another organisation. You can ask us to do this by contacting the Data Protection Manager.

#### Your right to object

When and if we process your data based on our legitimate interests, you have a right to object to that processing. You can ask us to do this by contacting the Data Protection Manager.

#### Your rights in relation to automated decision-making and profiling

You have rights where your data is involved in automated decision making and profiling. As we do not collect or process your data for that purpose, the right will generally not apply to data we hold on you. If it does, then you can ask us to do this by contacting the Data Protection Manager.

#### **Changes to this privacy policy**

We will not notify you if it is updated. The latest version appears on our website. We keep all our policies under regular review. This privacy policy was last updated on 12 April 2018.

#### **How to contact us**

Sahida Patel: Data Protection Manager  
Address: 27 Park Square West, Leeds, LS1 2PL  
Telephone: 0113 245 8549