



Data Privacy Notice

This notice provides details of how we use your personal information, and your rights in relation to that information. Please read carefully and contact us if you have any queries.

Why we process your personal information

Contractual Obligation

We need to process your personal information to provide the legal services described in the attached Client Agreement and accompanying documents. We will record information about you at our initial meeting with you and as your matter progresses.

The information we need includes your name, address, telephone number(s) and (subject to your consent) your email address. We will also record information relating to your instructions including details of your family members and other third parties, and where appropriate, details of the people you wish to appoint as your executors, attorneys, trustees, and beneficiaries in your Will or Trust.

Without this information we would not be able to act for you.

If you provide us with a cheque for payment of third party fees e.g. Court fees, we photocopy your cheque before forwarding it to the third party to provide proof of payment should the cheque be mislaid.

Legitimate Interest

If you provide us with personal information when you initially contact us, we will keep this information in order to contact you in the future unless you instruct us not to. However, we will have to store the information for regulatory purposes, for example to ascertain whether a conflict of interest arises.

Legal Obligation

We will ask you to produce documents that prove you are who you say you are to enable us to confirm that the legal work we are carrying out relates to you and therefore assists us in preventing fraud. We will record details of these documents on your file.

If we are assisting you in administering an estate, managing a trust, or providing you with specific tax advice, we are required by law to hold copies of identification documents under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 and s7 of the Proceeds of Crime Act 2002.

Consent

Some information we hold requires you to give your consent to the information being used for specific purposes and by authorised third parties. If you decide to withdraw consent for this use, we will amend our records immediately upon receipt of your instructions. You can do this by contacting us at any time during or following our work for you.

Sensitive Data

If, during the course of giving us instructions, you provide us with medical or health information to enable us to prepare documents for you and, in some circumstances, to prepare them within time limits, the medical or health information will be recorded on your file and may remain there for future reference. The information we record is strictly limited to information we require to carry out the work. No other sensitive information will be recorded.

How we store your personal information

We record and store information in electronic files on our computer system and on our Client Relationship Management System (Clio). Each file is identifiable by a unique reference number which also appears on all our correspondence with you. Some information originates as “hard copy” and this is stored in a separate paper folder. All paper documents are scanned into the electronic file before it is archived and stored in accordance with our File Retention Policy a copy of which is available on request.

We use archived files to send you reminders about updating documents, to provide evidence in any future claims or disputes, and to ascertain whether a conflict of interest arises. We also store a record of all Wills and Powers of Attorney that we have made for future reference to assist your Executors or Attorneys.

Copy identification documents, archived files and copies of Client Registration forms are all stored on an offline computer which is backed up and stored in a fireproof safe.

Our electronic files are password protected and only accessible to authorised staff. All data is backed up daily to a cloud based server.

Who we share your personal information with

Your personal information will not be shared with any third parties unless:

1. We are required by law to provide information to law enforcement organisations; if this applies, we may not be able to inform you;
2. You provide us with written consent to share specific data with another business or organisation; or
3. We need to send your data to government bodies e.g. Land Registry, Court of Protection, Office of the Public Guardian as part of the work you have contracted us to carry out.
4. We are required by our appropriate Professional Regulators, to give them access to your papers (unless you object – see clause 4.3 of our Terms and Conditions).

Some data may be accessed by an approved external IT contractor which we use to monitor and fix issues relating to our computer systems. All external contractors who carry out work for us are required to sign Confidentiality Agreements before commencing the work.

A limited amount of your personal data will be contained in our business accounts which we submit to our Accountant who has signed a Confidentiality Agreement. We use Sage 50 software to keep our business accounts, and this information (including very limited information about you) is stored using “cloud” storage access to which is password protected.

Your Data Information Rights

Right of Access

If you would like a copy of all the information we hold about you, please contact us. Please be aware that most if not all the information we hold about you has been provided by you. We will provide a copy of your information free of charge provided the request is made in good faith and is not excessive. If we are acting for you jointly, we will require written authority from all or both of you before any data or information contained in your file is released to one named party.

Right to Rectification

You have the right to have your information corrected if you believe we have not recorded it accurately. Please contact us as soon as you become aware of any mistakes.

Right to Erasure

You can ask us to delete all information we hold about you at any time but if you do, we will be unable to carry out the work you have instructed us to do, and we will close our file. However, our file will be archived in accordance with our File Retention policy and deleted only after the appropriate period of time.

Automated Decisions

We do not use your personal information to make automated decisions which affect you.

Jurisdiction

We will not send your data to another business situated outside the EEA without your specific consent and only then if we are satisfied that appropriate safeguards are in place.

Complaints

If you are not satisfied with the way we have dealt with your personal information you can complain to the Information Commissioner's Office Tel: 0303 123 1113 (local rate – calls to this number cost the same as calls to 01 or 02 numbers).

For more information on your data protection rights please visit the Information Commissioner's website: www.ico.gov.uk

You can contact us by:

Post: East Devon Law, Barton Chambers, The Old Dairy, Cadhay,
Ottery St Mary, Devon EX11 1QT

Email: advice@eastdevonlaw.co.uk: Tel: 01404 515427

East Devon Law is registered as a Data Controller with the Information Commissioner's Office. The registered Data Controller is Ian Hunt under Register number ZA538180.