

# General Privacy Policy

## Introduction

Emyr Pierce Solicitors takes your privacy seriously and complies with all aspects of the UK's data protection legislative framework, which includes the European General Data Protection Regulation (GDPR), the UK's own legislation as well as other confidentiality obligations that apply to solicitors. Emyr Pierce Solicitors is the data controller of the personal information you provide. We do not have a dedicated Data Protection Officer (DPO) but Emyr Pierce will ensure appropriate oversight of our data processing activities. This privacy notice sets out how Emyr Pierce Solicitors uses and protects information with which we are provided. Please read this general privacy notice together with any other specific privacy notice which we may issue to you.

## Privacy Notice

This privacy notice covers the following:-

- clients
- people who make enquiries about our legal services
- individuals who receive our legal updates and newsletters
- individuals who visit our websites or follow us on our various social media platforms
- other parties to litigation and representatives involved in one of our clients' matters
- business contacts of Emyr Pierce Solicitors
- our regulators and other certification bodies
- auditors, insurers or other professional advisers
- suppliers that we use or that our clients use
- people who have expressed an interest, attend or have attended any training courses provided by Emyr Pierce Solicitors
- job applicants

## **Your Rights**

If you are an individual, the rights you have under the GDPR include the following:-

- the right to be informed
- the right to access data we hold on you
- 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

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. We can 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 increase our response time.

## **Data We Collect**

The personal information that we collect includes:-

- basic information such as your name and title, the company you work for, your job title or position and your relationship to a person
- all contact information such as your postal address, previous address, email address and phone numbers
- employment details
- date of birth and nationality

- identification, background information provided by you or collected as part of our client checking process
- information about the matter for which you have instructed us which may include special category data where this is relevant to the matter including family members and beneficiaries
- financial information
- technical information collected when you visit our website, including IP address, geographic location and the content you view
- information you provide to us for the purposes of attending meetings, events and courses we host, including access and dietary requirements.

#### **Your Data Will Be Used:-**

- to perform the contract for our legal services
- to undertake background checks on clients / potential clients (including checks for anti-money laundering, to avoid conflicts of interest, and financial checks). We do not undertake automated decision making but we do use credit reference agencies or tracing agents that may do so
- to obtain support from experts such as counsel and professional advisers
- to conduct audit reviews, checks by regulators and certification bodies
- to receive payments
- to deal with complaints
- to conduct the day to day running of our business
- to promote and market our services, send newsletters, provide legal updates, events, hospitality and record your interests in these activities
- to provide on-line marketing activities including using a variety of digital and social media channels
- to exercise or defend our legal rights or for the purpose of legal proceedings in which we may be involved
- to prevent and respond to actual or potential fraud or illegal activities

We are sometimes obliged to share your Personal Data with external authorities without notifying you e.g. as required by the Anti-Money Laundering & Counter Terrorism Financing Act 2017. In all other cases we will be transparent and will explain to you why we are requesting your data and how we are using it.

## Jobs And Employees

When people apply to work with us, we use the information sent to us to process applications and to monitor our recruitment. To ensure we are an equal opportunities employer, we collect sensitive data. This information is not used in relation to the application itself and is treated in the strictest confidence. We will only use this information to help us monitor and deliver equal opportunity measures. Successful applicants who secure fixed term or permanent contracts are asked to agree to – where applicable - an appropriate criminal records check. This will be in addition to reference checks and proof of eligibility to work in the UK. Once a person is employed by us, we compile a file relating to their employment. We keep this information secure and only use it for purposes directly related to their employment. When a person's employment ends with us we destroy the file in line with our retention and disposal policies. For unsuccessful applicants we keep the information secure and destroy the file in line with our retention and disposal policies.

## The Lawful Basis For Processing Your Data

We rely on the following legal grounds to process your personal information:

- to perform a **contract** - (collect and use personal information to enter into a contract or perform our obligations under a contract with you)
- to comply with a **legal obligation** - (comply with applicable laws and regulatory requirements)
- for **legitimate interests** – (collect and use your personal information to further our legitimate business interests)
- to **exercise or defend a legal claim** - (requirement to collect or use personal information to enable us to establish, exercise or defend a legal claim of our own or when we are working on matters for our clients)
- obtain **consent** - (we may but usually do not need your consent to use your personal information. You can withdraw your consent by contacting us - see contact details below)
- in the **public interest** - (although we are not a public body, we do collect and use some personal information where this is necessary to perform tasks that are in the public interests)

Please contact us should you require further information on the legal basis used for your data.

## **Marketing**

From time to time we may send you promotional emails about our various legal services, offers, courses or other information that we think you may find interesting by using the email address which you have provided. We will sometimes use your information to contact you for market research.

Should you wish to receive or continue to receive details about our legal services or updates then please email [law@emyrpierce.co.uk](mailto:law@emyrpierce.co.uk). You can unsubscribe at any time.

## **Sharing Your Personal Data**

We do not normally share your data with third parties and we do not sell, rent or otherwise make personal information commercially available to any third party. There will be times when a third party may have access to your personal information or we may share or send it to them. Subject to the SRA Code of Conduct and the requirements with regard to client confidentiality we may share your personal information with:-

- suppliers (who are bound by obligations of confidentiality) to provide services and advice to us to help us run our business
- reference agencies for identity and credit checks
- barristers or experts, other professional advisers and insurance providers
- parties in litigation their representatives other advisers, courts and tribunals, government and law enforcement agencies
- your attorneys
- auditors
- lenders
- HMRC
- the Land Registry
- the Office of the Public Guardian
- fraud prevention agencies
- SRA and other regulators

## **Transferring Data Outside of the European Economic Area (EEA)**

We do not normally send personal data outside the EEA but this can arise where we are acting for individuals or business clients with interests outside the EEA. Where this arises, we will ensure that it is done in a legally compliant manner and ensure the information is protected in the same way as if it was being used in the EEA. If you are affected, you should discuss this with the solicitor/caseworker acting for you for advice on safeguards that we follow.

## **How Long Do We Keep Data**

Our policy is not to hold data for longer than is necessary. We have an information retention and disposal policy based on why we need the information. This policy takes into account any statutory or regulatory obligations we have to keep the information and we destroy data in accordance with this policy. We will keep your name and personal contact details on our database until you tell us that you would like them removed, e.g. should you wish to change solicitor.

## **Automated Decision Making**

We do not use automated decision-making systems. All decisions relating to you and your matter are made by a person.

## **Time Limit To Respond**

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

## **If You Choose Not To Provide Data**

If you decide not to provide us with certain personal data you should be aware that we may not be able to offer you certain services. For example, we cannot act for you unless we are able to check your identity and run anti-money laundering checks.

## **How To Complain**

If you are unhappy with how we have used your personal information please contact our Head of Compliance and Managing Partner, Emyr Pierce, at 1 Heol Y Deri, Rhiwbina, Cardiff CF14 6HA ([law@emyrpierce.co.uk](mailto:law@emyrpierce.co.uk)). You also have the right to complain to the Information Commissioner's Office (ICO). Further details on how to raise a concern with the ICO can be found on their website ([www.ico.org.uk](http://www.ico.org.uk)).

## **Changes To This Privacy Notice**

We keep this Privacy Notice under regular review and may change it by updating this page in order to reflect changes in the law and our policies. Please check the Privacy Notice for any changes.