

# Privacy Policy

## PRIVACY NOTICE

Wake Smith Solicitors Limited ('**Wake Smith**') is committed to being transparent about how it collects, uses and stores your personal information. We are required under data protection legislation to tell you about the way in which we use your data and about your rights. We have tried to supplement the information we are legally required to give you with other information and assistance that we think would help you understand how we deal with your privacy.

We have also tried to help you with some terms and how they are used and these are set out in your glossary. Where you see a term which looks unfamiliar you may be able to click on it to take you through to our glossary.

1. **Important information and who we are**
2. **The information we collect about you (and how we collect it)**
3. **How we will use this information**
4. **Whether and how we will share your personal data**
5. **International transfers**
6. **Data security**
7. **Data retention**
8. **Your legal rights**
9. **Glossary**
10. **Cookies**

1. **Important Information and who we are**

This Privacy Policy applies to Wake Smith's general website: [www.wake-smith.co.uk](http://www.wake-smith.co.uk)

If you become a client of Wake Smith we have a separate client privacy notice which relates to how we use clients personal data.

Wake Smith is the controller responsible for your personal data. This means we control how the data is used. When we refer in this Privacy Notice to 'we', 'us' or 'our', we are referring to Wake Smith. You will notice that throughout this Privacy Notice we provide you with the contact email for our Data Protection Contact: Elizabeth Shaw email: [dataprotectionadmin@wake-smith.com](mailto:dataprotectionadmin@wake-smith.com).

Our contact details are contained elsewhere on this website but our full details are Wake Smith Solicitors Limited, No.1 Velocity, 2 Tenter Street, Sheffield S1 4BY.

## Complaints/Concerns

You have the right to make a complaint or to address a concern at any time to the Information Commissioner's Office (ICO). They are the UK supervisory authority for data protection issues. We would however appreciate the chance to deal with your concerns before you approach the ICO so please contact Elizabeth Shaw , Data Protection Contact in the first instance at [dataprotectionadmin@wake-smith.com](mailto:dataprotectionadmin@wake-smith.com).

If you need to contact the ICO more information can be obtained from [ico.org.uk/concerns](http://ico.org.uk/concerns) or by contacting the ICO on 0303 123 1113.

### Third Party Links

Our website may include links to third party websites, plug ins and applications. Clicking on such links or enabling those connections may allow third parties to collect or share data about you. We do not control these third party websites and are not responsible for their privacy statements. If you leave our website to a third party link we encourage you to read the privacy notice of every website you visit.

### Cookies

We provide more information about cookies here below in section 10.

#### 2. The data we collect about you (and how we collect it)

Personal data, or personal information, means any information about an individual from which that individual can be identified. It does not include data where the identity has been removed (anonymous data). We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:-

- **Identity data** including any names that you give us which might include usernames and might include titles which give an indication of marital status. In contacting us through this website you may choose to provide us with other identity data such as date of birth and gender;
- **Contact data** which would include all methods of contact you give to us such as your email address, telephone numbers, home or work and/or work address;
- **Financial data** exceptionally you may provide us with financial details such as bank account and payment card details via this website;
- **Transaction data** this may include details about previous transactions or services which you have had with us or services you are interested in accessing;
- **Technical data** our website may obtain your internet protocol (IP) address, your log in data, browser type and version, time zone setting and location, browser plug in type and versions, operating systems and platform and other technology or the devices you use to access this website);
- **Profile data** depending on how you use our website facilities you may choose to volunteer information about your personal and/or work circumstances. Please be aware that you are responsible for deciding what information or profile information you are choosing to share with us;
- **Usage data** includes information about how you use our website;

- **Marketing communications data** we do not directly collect marketing and communications data through our website traffic but as a result of using our website you may link into our marketing tools in which you can indicate your preferences in terms of receiving marketing from us and your communication preferences;
- **Survey Information.** You may choose to provide us with personal data in completing any surveys.

We also collect, use and share:-

- **Aggregated Data** such as statistical demographic data for any purpose. Aggregated data may be derived from your personal data but it is not considered personal data in law as this data does not directly or indirectly reveal your identity. We will aggregate your usage data to collect the percentage of users accessing a specific website feature. We do not combine or connect aggregated data with your personal data so that it can never directly or indirectly identify you.

We do not collect any **special categories of personal data about you intentionally. This would include details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data. Nor do we collect any information about criminal convictions and offences.**

However by accessing our website you may choose to access our interactive tools and to volunteer sufficient information to form an enquiry regarding legal services and you may therefore choose to provide us with information with these special categories of personal data.

### 3. How we will use this data

We collect your personal data, through this website, in different ways:-

- **Automated technologies or interactions.** As you interact with our website, we may automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies (server logs) and other similar technologies. Please see our cookie below in section 10 for further details and for details of our analytic providers.
- **Direct interactions.** You may interact with us through the medium of this website by contacting us directly to ask us to make an enquiry about a legal service. In doing that you may well provide us with your identity, contact and profile data.

We will only use your personal data when the law allows us to. We give more detail on this under **lawful basis**. Most commonly, we will use your personal data in the following ways:-

- To answer your enquiry with a view to discussing a proposed Contract in connection with the legal service you require and therefore in contacting you by telephone or email;
- Where appropriate to comply with a legal obligation; for example, to comply with money laundering checks as part of a contract which we agree to enter into with you;
- To provide you with bulleting or information packs as you request (consent)

- To process any application made by you for a position with us (consent) and (legitimate interests)
- Where it is necessary for our legitimate interests and fundamental rights do not override those interests. So, for example if you provide us with your identity details and identity information about a third party that you may be in dispute with, we may carry out some basic checks to find out whether there is any professional reason why we should not take the enquiry any further, such as a 'conflict of interest'. We may need
  - (a) to understand sufficient information about your enquiry to ensure that it is transferred to the legal adviser in the firm most able to deal with it.
  - (b) keep certain basic and relevant information to demonstrate that your enquiry has been dealt with promptly and appropriately.
  - (c) to comply with our professional obligations by storing your enquiry in such a way as we can retrieve it from our archiving records within a reasonable time.

[Click here](#) to find out more about the types of lawful basis that we will rely on to process your personal data.

## **Marketing**

You will have the opportunity in using this website to register marketing choices with us if you wish. If you do register details for email marketing you will be automatically subscribed to our database.

### **4. Whether and how we will share your personal data**

Unless you become a client of Wake Smith in which case you will have an opportunity to read our client Privacy Policy we do not envisage making any disclosures of your personal data except where we are required to for legal and regulatory purposes.

If you submit an enquiry, a copy of your enquiry is received by our Web Developer who is from time to time employed by us to develop the websites infrastructure. This is only for server backups for disaster recovery purposes. Our Web Developer's Privacy Policy can be accessed [here](#). We enter into appropriate confidentiality agreements with any Web Developer we use.

### **5. International Transfers**

We do not transfer your personal data outside the European Economic Area (EEA). Where analytical data is transferred outside the EEA, such as via Google Analytics, it is on an anonymised basis.

### **6. Data Security**

In order to prevent unauthorised access, maintain data accuracy and ensure the correct use of information, we have in place appropriate physical, electronic and managerial procedures to safeguard and secure the information we collect.

### **7. Data Retention**

We have specific data retention policies which apply to clients. As a visitor to our website we will not retain any personal data about you unless you provide us with personal data in connection with an enquiry relating to legal services. If you make an enquiry the information we collect about you is stored electronically on our database. It may also be printed off and stored in our filing systems. If you subsequently become a client we will provide you with a legal contract relating to our services and a separate client Privacy Policy at that time. Unless and until you become a client your personal data may be stored electronically for a period of approximately 16 years.

To determine the appropriate retention period for personal data we consider the nature and sensitivity of the personal data, the potential risk of harmful or unauthorised use or disclosure and the purposes for which we process your personal data as well as the reasons why we may need to access the data after your original enquiry.

## 8. Your legal rights

Under certain circumstances you have rights under data protection laws in relation to your personal data. See below to find out more about these rights:-

- **Request access to your personal data**
- **Request correction of your personal data**
- **Request erasure of your personal data**
- **Object to processing of your personal data**
- **Request restriction of processing your personal data**
- **Request transfer of your personal data**
- **Right to withdraw consent.**

If you wish to exercise any of the rights set out above please contact Elizabeth Shaw, Data Protection Contact at [dataprotectionadmin@wake-smith.com](mailto:dataprotectionadmin@wake-smith.com).

**We will not ask you 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. Alternatively, we may refuse to comply with your request in these circumstances.

If you wish to exercise any of your legal rights, then we may need to request specific information from you to help us confirm your identity and ensure that you are who you say you are. This is a security measure to protect you.

We try to respond to all legitimate requests within 1 month. Very occasionally it may take us longer than a month if your request is particularly complex, or if you make a number of requests. In this case, we will notify you and keep you updated.

## 9. Glossary

### LAWFUL BASIS

## **Legitimate interests**

Means the interest of Wake Smith in conducting and managing our services to provide you with the best service and experience. We consider on balance any potential impact on you and your rights before we process your personal data for our legitimate interests. We take care to ensure that where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted by law), we will not further process your personal data. If you would like further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities you can contact Elizabeth Shaw, Data Protection Contact at [dataprotectionadmin@wake-smith.com](mailto:dataprotectionadmin@wake-smith.com).

## **Performance of Contract**

Means processing your data where it is necessary for the performance of a legal service which you have requested and this can include taking steps at your request before formally entering into such a contract.

## **Comply with a legal or regulatory obligation**

Means processing your personal data where it is necessary for compliance of a legal or regulatory obligation that we are subject to.

External third parties in connection with this Website Privacy Notice there are no relevant external third parties you need to be aware of other than as advised under our cookie policy in Section 10.

## **YOUR LEGAL RIGHTS**

You have the right to:-

### **Request access to your personal data**

Request access to your personal data (commonly known as 'data subject access request'). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it and to give you an opportunity to request correct, if appropriate.

### **Request correction of your personal data**

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, although we may need to verify the accuracy of the new data you provide to us.

### **Request erasure of your personal data in certain circumstances;**

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no lawful reason for us continuing to process it or where, despite a lawful reason there

is no good reason for us continuing to process it in the light of your request. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we accept that we have processed your information unlawfully. However we may not always be able to comply with your request for erasure for specific legal reasons which we will notify to you, if applicable, at the time of your request.

#### **Object to processing of your personal data;**

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. We operate on the basis of consent for direct marketing and we try to make it as easy as possible to withdraw consent at any stage. Where you object to processing of your personal data, in some cases we may demonstrate that we have compelling legitimate grounds to process your information which overrides your rights and freedoms.

#### **Request restriction of processing your personal data;**

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:-

- If you want us to establish the data's accuracy;
- Where you believe our use of the data is unlawful but you do not want us to erase it;
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

#### **Request transfer of your personal data;**

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, the personal data in a structured, commonly used, machine readable format. **Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you. We rarely use such automated information.**

#### **Right to withdraw consent**

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out because you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

## 10. Cookies

### What are cookies?

Cookies are small text files that are sent to and stored on your computer, smartphone, or other device for accessing the internet, whenever you visit a website. Cookies are widely used and for a variety of different reasons:-

- To enable a website to work;
- To allow a website to recognise the user and to enhance the user's experience; and
- In some cases to provide analytical research data.

### Why we use cookies, what cookies we use and how this may affect you?

There are different types of cookies:-

- Low intrusive cookies set by us on our website. These cookies help you navigate the site and we use these cookies;
- Low intrusive analytical cookies. These can be set by a website or used by a separate company owned by the website to analyse how people are using the site. We use these type of analytical cookies. They allow us to monitor the number of visitors and see how visitors move around our site. This helps us to improve the way our website works. Such cookies are compile aggregate (non-personal) information about areas of our website that are visited most frequently.
- Session cookies. These are stored whilst you are browsing. They get deleted from your device when you close your browser dependent upon what your browser is;
- Persistent Cookies. These are cookies that are saved on your computer or device. They don't get deleted when you close your browser. We use such cookies. They help us know in an aggregate way (non-personal information) where there has been more than 1 browsing session and they help you to remember your preferences for the next time you visit. You can however easily disable these types of cookies. You can configure your browser to do so; options to do this can be found on internet explorer browsers under 'tools' then 'internet options' and 'internet privacy settings';
- Other types of cookies are advertising cookies. We do not use these;
- There are also third party cookies used on some websites. We use third party cookies such as 'google analytics', 'share this' and 'twitter'. These may store cookies on your machine for longer. You can however opt out of a cookie being stored on your machine. You may adjust your computer's settings to block cookies, or to accept them only on confirmation from you. Because of the wide variety of browsers and operating systems used by our customers we cannot provide detailed instructions for this, however your browser should contain details in its help facility.

### Other tracking technologies

Some sites use things like web beacons, clear gifs, page tags and web bugs to understand how people are using them and target advertising at people.



They usually take the form of a small transparent image, which is embedded in a webpage or email. They work with cookies and capture data like your IP address, when you view the page or email, what device you were using and where you were. We do not use such tracking technologies.

### **How can I stop my internet browser tracking information?**

Web browsers track information using various technical tools including:-

- Cookies;
- IP addresses;
- http referrer;
- Tracking scripts;
- User agents;
- Browser fingerprinting.

### **The 'Do Not Track' (DNT) setting**

Some internet browsers have a DNT setting which sends a signal to websites asking them not to track your browsing. This setting does not work with Wake Smith's website. However cookie settings can be changed on your internet explorer browser under 'tools' then 'internet options' and 'internet privacy settings'.

### **How to avoid web beacons and other tracking technologies**

You can normally render these ineffective by switching off cookies in your browser. There are also browser add ons and extensions that specifically block web beacons. To avoid web beacons in emails, you can turn off images in your email service, check your email's help section to find out how.