

## CLIENT 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 notify you of the information contained in this privacy notice

**It is important that you read this notice so that you are aware of how and why Wake Smith is using your personal data.**

### OUR CONTACT DETAILS

Wake Smith Solicitors Limited  
No 1. Velocity  
2 Tenter Street  
Sheffield  
S1 4BY

Tel: 0114 266 6660

Email: [dataprotectionadmin@wake-smith.com](mailto:dataprotectionadmin@wake-smith.com)

**There is important information about your rights which we have summarised and explained in the 'What are my Rights' section of this Privacy Notice**

Your key questions answered:-

### WHAT INFORMATION DO YOU COLLECT ABOUT ME?

- **Identity information:** first name, last name, any titles used, date of birth;
- **Identity documentation** such as copy driving licence or passport photo page for the purposes of money laundering checks. These will be processed only for the purposes of preventing money laundering and terrorist financing, or as otherwise permitted by law or with your express consent. **You consent to us retaining such data for longer than the 5 year statutory period unless you tell us otherwise;**
- **Contact information:** address, contact details such as telephone number(s) and email address(es);
- **Other personal data** including special categories of personal data - relevant information relating to your enquiry/matter. Please note this can include details of your employment, family circumstances and/or health information. In some matters you will necessarily be sharing very intimate information with your legal adviser;
- **Financial information** where appropriate together with details of your bank account or other methods of payment.

### HOW WILL YOU USE THE INFORMATION YOU COLLECT ABOUT ME?

We need a legal basis for collecting and using your information:

1. If we are providing you with a legal service we are entitled to process your information in order to provide that service (**contract**).
2. We may need to comply with statutory or regulatory requirements (**regulatory requirements**).
3. We may consider, having carefully assessed our business interests and balanced these against your privacy rights, that we have a legitimate interest in processing your personal data which is not overridden by your interests and fundamental rights (**legitimate interests**).

4. In other cases with your permission (**consent**):

- To comply with a **legal obligation**; for example, to comply with money laundering checks or to comply with HMRC requirements;
- **For Marketing purposes:** contact details and legal matter type(s) only will be used by our in-house marketing department to provide you with further information about legal topics which may be of interest/networking and seminar opportunities.

**See our Marketing Consent Form which will be emailed separately to you by our Marketing Department.**

#### **WILL YOU SHARE ANY OF THE INFORMATION YOU COLLECT ABOUT ME?**

We control the information we collect about you. We will not sell, rent or otherwise disclose your information to any third party, without your consent except in the following circumstances:-

- Where we are required to do so for any legal or regulatory purpose, and in those circumstances only the minimum data we are required to share.
- To an appropriate third party where we believe that you are involved in illegal conduct;
- To protect our rights and properties or that of our other clients including taking investigative and/or legal and/or regulatory advice;
- To prevent fraud;
- To protect against abuse, misuse or unauthorised use of our email, internet or other IT systems;
- To protect the personal safety or property of our other clients or the public, for example if you provide false or deceptive information about yourself or attempt to pose as someone else;
- To third parties who provide services to us such as banks, building societies, processors of credit card information. Such organisations are bound by confidentiality agreements not to disclose any information for other purposes;
- To an auditor or accountant or our regulator.
- We do share non-personal, non-individual information in aggregate form with third parties for business purposes, for example with business partners, professional marketing agencies, research or analytic companies and such information will relate to, for example, number of client in certain demographic groups, or number of clients seeking legal advice in specific legal matter areas. This will not involve disclosing any personal information which could identify an individual client in any way, without your consent.
- We may transfer our customer database, and matter files, including personal information to a third party who acquires all or substantially all of the assets or stock in our company whether by merger, acquisition, re-organisation or otherwise.

You may be asked to consent during your matter to sharing information with an appropriate third party such as:-

- Expert witness;
- Barrister;
- Financial adviser or intermediary;
- A court or tribunal;
- Estate agent, valuer or surveyor;
- As appropriate to another party in your matter including their advisers and experts;

## **IF YOU DID NOT OBTAIN MY DATA DIRECTLY FROM ME, WHAT ADDITIONAL RIGHTS DO I HAVE?**

Where you have provided your data to a third party for the specific purpose of instructing us, or an unspecified legal service provider, we will advise you that we have received personal data about you and the source and will check whether you are happy for us to act for you.

## **WILL MY DATA BE TRANSFERRED OUTSIDE OF THE UK AND, IF SO, WHAT SAFEGUARDS ARE IN PLACE?**

Data collected, processed and stored by us is not transferred outside of the UK. Where data is shared with a third party (see above) then data may be transferred outside of the UK. If data is transferred into the EU your data will be safeguarded by appropriate legal regulations. If data is transferred outside of the EU we will endeavour to ensure where feasible that appropriate safeguards are put in place in connection with our third party agreements. Please note that we have no control over legal and regulatory bodies but such bodies will have their own compliance requirements.

## **HOW IS MY DATA STORED?**

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.

## **HOW LONG IS MY DATA KEPT FOR?**

We reserve the right to amend our storage policies from time to time. Currently physical files and papers are securely stored for a period of approximately 16 years, longer when your legal rights require this. Certain personal information and data must be retained for the periods of time required for legal and regulatory reasons, for example under guidelines from the HMRC, or SRA (Solicitors Regulation Authority) or as part of our insurance requirements. Certain data is retained for longer periods of time in line with the requirements of The Law Society for example 24 years or more in the case of children files.

## **DOES THIS PRIVACY POLICY APPLY TO USE OF YOUR WEBSITE?**

No, we have a separate Privacy Policy on our website where there are important differences relating to the use of 'cookies' and sharing of information.

## **WHAT ARE MY RIGHTS?**

### **CAN I OPT OUT OF YOU USING MY DATA AT ANY TIME?**

If you have opted in to marketing information you can opt-out at any time. Otherwise your data is retained by us for legitimate purposes; for example to comply with our legal and regulatory obligations or to protect our legal rights.

### **CAN I HAVE A COPY OF MY DATA?**

Yes, you can apply for a copy of your data at any time by contacting the Data Protection Administrator – [dataprotectionadmin@wake-smith.com](mailto:dataprotectionadmin@wake-smith.com). We will comply with any current data legislation by adopting reasonable methods of checking your identity and providing you with such data as you are legally entitled to within appropriate timescales.

### **DO I HAVE ANY OTHER RIGHTS?**

Yes, you have the right to correct incorrect data, and to receive transparent information about how your data is collected and stored, and you have the right to mandatory information under Data Protection legislation.

## **DO I HAVE ANY OBLIGATIONS TO YOU ABOUT DATA?**

If you are instructing us other than in a personal capacity, and if you send us personal data about anyone other than yourself you will ensure you have any appropriate consents and notices in place to enable you to give us that data (or other lawful reasons) and so that we may use it for the purposes for which you provide it to us. If you are unsure about this we can guide you through this.

## **IF I HAVE ANY QUERIES OR A COMPLAINT WHO SHOULD I CONTACT?**

Any queries or concerns should be sent to:-

Data Protection Administrator, [dataprotectionadmin@wake-smith.com](mailto:dataprotectionadmin@wake-smith.com); or you can contact the Information Commissioner on 0303 123 1113.

More information can be obtained from [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns).