

**PRIVACY POLICY**

We take your privacy very seriously. Please read this privacy policy carefully as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

Our use of your personal data is subject to your instructions, the UK General Data Protection Regulation (UK GDPR) and Data Protection Regulations 2019, other relevant UK legislation, our duty of confidentiality and other professional obligations.

**PERSONAL DATA WE COLLECT ABOUT YOU**

The table below sets out the personal data we will or may collect in the course of advising and/or acting for you.

<b>Personal data we will collect</b>	<b>Personal data we may collect depending on why you have instructed us</b>
<ul style="list-style-type: none"> <li>• Your name, address and telephone number</li> <li>• Information to enable us to check and verify your identity, e.g. your date of birth or passport details</li> <li>• Electronic contact details, e.g. your email address and mobile phone number</li> <li>• Information relating to the matter in which you are seeking our advice or representation</li> <li>• Information to enable us to undertake a credit or other financial checks on you</li> <li>• Your financial details so far as relevant to your instructions, e.g. the source of your funds if you are instructing on a purchase transaction</li> </ul>	<ul style="list-style-type: none"> <li>• Your National Insurance and tax details</li> <li>• Your bank and/or building society details</li> <li>• Details of your spouse/partner and dependants or other family members, e.g. if you instruct us on a family matter or a will</li> <li>• Your employment status and details including salary and benefits, e.g. if you instruct us on matter related to your employment or in which your employment status or income is relevant</li> <li>• Your nationality and immigration status and information from related documents, such as your passport or other identification, and immigration information, e.g. if you instruct us on an immigration matter</li> <li>• Details of your pension arrangements, e.g. if you instruct us on a pension matter or in relation to financial arrangements following breakdown of a relationship</li> <li>• Your employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances (including relevant special category personal data), e.g. if you instruct us on a matter related to your employment or in which your employment records are relevant</li> <li>• Spent and unspent criminal convictions and details.</li> <li>• Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs, e.g. if you instruct us on a discrimination claim</li> <li>• Your trade union membership, e.g. if you instruct us on a discrimination claim or your matter is funded by a trade union</li> <li>• Personal identifying information, such as your parents' names, e.g. if you instruct us to incorporate a company for you</li> <li>• Your medical records, e.g. if we are acting for you in relation to Lasting Powers of Attorney</li> </ul>

This personal data is required to enable us to provide our service to you. If you do not provide the personal data we ask for, it may delay or prevent us from providing services to you.

**HOW YOUR PERSONAL DATA IS COLLECTED**

We collect most of this information directly from you. However, we may also collect information:

- from publicly accessible sources, e.g. Companies House or HM Land Registry;
- directly from a third party, e.g.: client due diligence providers;
- from a third party with your consent, e.g.: your bank or building society, your employer or your doctor;
- via our website—we use cookies on our website (please see the Privacy Policy on our website [www.sprakekingsley.co.uk](http://www.sprakekingsley.co.uk));
- via our information technology (IT) systems, e.g.: document management system.

## **HOW AND WHY WE USE YOUR PERSONAL DATA**

Under data protection law, we can only use your personal data if we have a proper reason for doing so, e.g.:

- to comply with our legal and regulatory obligations;
- for the performance of our contract with you or to take steps at your request before entering into a contract;
- for our legitimate interests or those of a third party; or
- where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your personal data for and our reasons for doing so:

<b>What we use your personal data for</b>	<b>Our reasons</b>
To provide legal services to you	For the performance of our contract with you or to take steps at your request before entering into a contract
Conducting checks to identify our clients, verify their identity and screening Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal and regulatory obligations
Updating and enhancing client records and statistical analysis to help us manage our practice; ensuring safe working practices	For the performance of our contract with you or to take steps at your request before entering into a contract To comply with our legal and regulatory obligations For our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our clients about existing and new services
Marketing our services and those of selected third parties to existing and former clients	For our legitimate interests or those of a third party, i.e. to promote our business to existing and former clients
External audits and quality checks, e.g. for CQS accreditation and the audit of our accounts	For our legitimate interests or those of a third party, i.e. to maintain our accreditations so we can demonstrate we operate at the highest standards  To comply with our legal and regulatory obligations

The above table does not apply to special category personal data, which we will only process with your explicit consent.

## **PROMOTIONAL COMMUNICATIONS**

We may use your personal data to send you updates (by email, text message, telephone or post) about legal developments that might be of interest to you and/or information about our services, including exclusive offers, promotions or new services (see above '**How and why we use your personal data**').

We will always treat your personal data with the utmost respect and never sell OR share it with other organisations. You have the right to opt out of receiving promotional communications at any time by contacting our Office Manager. You can do this by sending a letter, by phone or by sending an email to [info@sprakekingsley.co.uk](mailto:info@sprakekingsley.co.uk)

## **WHO WE SHARE YOUR PERSONAL DATA WITH**

We routinely share personal data with:

- professional advisers who we instruct on your behalf or refer you to, e.g. barristers, medical professionals, accountants, tax advisors or other experts;
- other third parties where necessary to carry out your instructions, e.g. your mortgage provider or HM Land Registry in the case of a property transaction or Companies House;
- credit reference agencies;
- our insurers, brokers and external service suppliers;
- external auditors, e.g. in relation to CQS accreditation and the audit of our accounts;
- our bank.

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers to ensure they can only use your personal data to provide services to us and to you.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations. This may include overseas agencies.

We may also need to share some personal data with other parties, such as potential buyers of some or all of our business or during a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

We will not share your personal data with any other third party.

## **WHERE YOUR PERSONAL DATA IS HELD**

Information may be held at our offices and those of our third-party agencies, service providers, representatives and agents as described above (see '**Who we share your personal data with**').

## **HOW LONG YOUR PERSONAL DATA WILL BE KEPT**

We will keep your personal data after we have finished advising or acting for you. We will do so for one of these reasons:

- to respond to any questions, complaints or claims made by you or on your behalf;
- to show that we treated you fairly;
- to keep records required by law or our professional regulatory bodies.

We will not retain your data for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of data. Further details on this are available in our Data Retention Guidelines. You may request a copy of these guidelines from our Office Manager or they are available on our website.

When it is no longer necessary to retain your personal data, we will delete or anonymise it.

## **YOUR RIGHTS**

You have the following rights, which you can exercise free of charge:

<b>Access</b>	The right to be provided with a copy of your personal data.
<b>Rectification</b>	The right to require us to correct any mistakes in your personal data.
<b>To be forgotten</b>	The right to require us to delete your personal data—in certain situations
<b>Restriction of processing</b>	The right to require us to restrict processing of your personal data—in certain circumstances, e.g. if you contest the accuracy of the data.
<b>Data portability</b>	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations.
<b>To object</b>	The right to object: —at any time to your personal data being processed for direct marketing (including profiling); —in certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests.
<b>Not to be subject to automated individual decision-making</b>	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you.

If you would like to exercise any of these rights, please:

- complete a data subject request form—available on our website at [www.sprakekingsley.co.uk](http://www.sprakekingsley.co.uk)
- or;
- email or write to John Hay our Data Protection Officer—see below: 'How to contact us';
- and
- let us have enough information to identify you (e.g. your full name, address and client or matter reference number);
  - let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill);
- and
- let us know what right you want to exercise and the information to which your request relates.

## **KEEPING YOUR PERSONAL DATA SECURE**

We have appropriate security measures to prevent personal data from being accidentally lost or used or accessed unlawfully. We limit access to your personal data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so. Our systems and procedures take into account the size and risk profile of our business and cannot be totally guaranteed.

## **HOW TO COMPLAIN**

We hope that our Data Protection Officer can resolve any query or concern you may raise about our use of your information.

You are entitled to lodge a complaint with the supervisory authority, the Information Commissioner (ICO) who may be contacted at <https://ico.org.uk/make-a-complaint/>

or telephone: 0303 123 1113.

## **HOW TO CONTACT US**

Please contact us and/or our Data Protection Officer by post, email or telephone if you have any questions about this privacy policy or the information we hold about you.

Our contact details are shown below:

<b>Our contact details</b>	<b>Our Data Protection Officer's contact details</b>
Sprake & Kingsley 16 Broad Street Bungay Suffolk NR35 1EN	John Hay Sprake & Kingsley 16 Broad Street Bungay NR35 1EN
E: <a href="mailto:info@sprakekingsley.co.uk">info@sprakekingsley.co.uk</a>	E: <a href="mailto:jhay@sprakekingsley.co.uk">jhay@sprakekingsley.co.uk</a>
T: 01986 892721	T: 01986 891920

## **DO YOU NEED EXTRA HELP?**

If you would like this policy in another format

(for example audio, large print, braille) please contact us (see '**How to contact us**' above).

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