

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 what to do if you have a complaint.

Who are we and what do we do

Sprake & Kingsley is a Limited Liability Partnership, authorised and regulated by the Solicitors Regulation Authority under number 655378. Contact details can be found at the end of this policy.

We collect and use personal data in the course of providing our services. When we do so we must comply with the UK General Data Protection Regulation (UK GDPR), other relevant UK legislation, our duty of confidentiality and other professional obligations.

Our services and website are not aimed specifically at children who are usually represented by their parents or guardians. If you are a child and you want further information about how we might use your data, please contact us (see '**How to contact us**').

PERSONAL DATA WE COLLECT ABOUT YOU

The table below sets out the personal data information we may collect or use about you in the course of providing our services.

Personal and special category data we will collect	Personal data we may collect depending on why you have instructed us
• Your name, address and telephone number • Information to enable us to check and verify your identity, e.g. your date of birth or passport details • Electronic contact details, e.g. your email address and mobile phone number • Gender and pronoun preferences • Occupation • Marital status • Information relating to the matter in which you are seeking our advice or representation • Information to enable us to undertake a credit or other financial checks on you • 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 • Payment details (including card or bank information for transfers and direct debits) • Information about how you interact with and use our website, products and services • Audio recordings, eg calls • Physical, medical or mental health conditions	• Your National Insurance and tax details • Details of your professional online presence, eg LinkedIn profile and details of your general online presence e.g. Google search for Identification purposes • Biometric information used to identify you which includes checks made by our verified identification provider to comply with our obligations to prevent unlawful acts • Details of your spouse/partner and dependants or other family members e.g. if you instruct us on a family matter or a will • Your employment status and details including salary and benefits e.g. if you instruct us a matter relating to a purchase of a property • Your medical records, capacity assessments, NHS records e.g. if we are acting for you in relation to Lasting Powers of Attorney or a sale of property

The main purpose of collecting and using this information is to provide products and services to our clients. However, we may also collect and use the above information for the purposes set out in **HOW AND WHY WE USE YOUR PERSONAL DATA**. 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, sanctions screening providers, credit reference agencies;
- 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);
- via our information technology (IT) systems, e.g. case management, document management and time recording systems.

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.:

- where you have given consent - where we need your consent, we will ask for it separately and you can withdraw consent at any time – please refer to our Data Protection Statement
- to comply with our legal and regulatory obligations;
- to fulfil 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.

A recognised legitimate interest is a pre-approved, public-interest purpose for processing personal data, e.g. detecting, investigating or preventing crime.

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 your personal data for and why:

What we use your personal data for	Our reasons
Providing services to our clients	To fulfil our contract with clients or to take steps at their request before entering into a contract
Preventing, detecting or investigating fraud (or other crimes) against you or us	Depending on the circumstances, for: - the recognised legitimate interest of preventing, detecting or investigating crimes - our and/or your legitimate interests, i.e. to minimise fraud that could be damaging for you and/or us
Conducting checks to identify our clients, and verify their identity Screening for financial and other sanctions or embargoes Other activities necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health and safety law or rules issued by our professional regulator	To comply with our legal and regulatory obligations For our legitimate interests
To check whether there is any conflict of interest between us and you and/or between you and another client	To comply with our legal and regulatory obligations
To enforce legal rights or defend or take legal proceedings	Depending on the circumstances: - to comply with our legal and regulatory obligations - for our legitimate interests or those of a third party
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal and regulatory obligations
Ensuring internal business policies are complied with, eg policies covering security and internet use	For our legitimate interests, i.e. to make sure we are following our own internal procedures so we can deliver the best service to our clients
Operational reasons, such as improving efficiency, training and quality control	For our legitimate interests, i.e. to be as efficient as we can so we can deliver the best service to our clients at the best price
Statistical analysis to help us manage our business, e.g. in relation to our financial performance, client base, services range or other efficiency measures	For our legitimate interests, i.e. to be as efficient as we can so we can deliver the best service to our clients at the best price
Protecting the security of systems and data used to provide services, preventing unauthorised access and changes to our systems	Depending on the circumstances: - for our legitimate interests, i.e. to prevent and detect criminal activity that could be damaging for you and/or us - to comply with our legal and regulatory obligations
Updating and enhancing client records	Depending on the circumstances - to comply with our legal and regulatory obligations - in order to fulfil our contract with you
Statutory returns	To comply with our legal and regulatory obligations
Credit reference checks via external credit reference agencies	For our legitimate interests i.e. regulatory requirements under client identification.
To deal with complaints or claims	Depending on the circumstances: - to comply with our legal and regulatory obligations - to fulfil our contract - for our or your legitimate interests, e.g. to make sure any potential claim is reported to our insurer
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
Voluntarily sharing relevant personal data with public authorities, regulators or other bodies exercising official functions in response to written requests where we consider disclosure is necessary and appropriate	For a recognised legitimate interest, namely to respond to a request from another organisation that needs the personal data for the purposes of carrying out its task in the public interest or exercising its official authority

The above table does not apply to special category personal data, which we will only process if:

- we have your explicit consent;
- the processing is necessary to protect your (or someone else's) vital interests where you are physically or legally incapable of giving consent;
- the processing is necessary to establish, exercise or defend legal claims; or
- the processing is necessary for reasons of substantial public interest.

MARKETING

If we actively market our services we have a legitimate interest in using your personal data for marketing purposes in order to promote our services. This means we do not usually need your consent to send you marketing information. Where this is not the case, we will always ask for your consent.

In all cases, you have the right to opt out of receiving marketing communications at any time by contacting us. You can do this by sending a letter, by phone or by sending an email to info@sprakekingsley.co.uk. We may ask you to confirm or update your marketing preferences if you ask us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business. We will always treat your personal data with the utmost respect and never sell it to OR share it with other organisations for marketing purposes.

WHO WE SHARE YOUR PERSONAL DATA WITH

We routinely share personal data with:

- third parties we use to help deliver our services, e.g. providers of our case management and finance system, IT service providers including cloud service providers such as data storage platforms, shared service centres and financial institutions in connection with invoicing and payments;
- third party external advisors or experts engaged in the course of providing services, e.g. tax advisors, accountants, medical professionals and other legal professionals;
- companies providing services for money laundering checks and other crime prevention purposes and companies providing similar services, including financial institutions and credit reference agencies;
- our insurers and brokers;
- our bank.

We only allow those organisations to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We ensure all outsourcing providers operate under service agreements that are consistent with our legal and professional obligations, including in relation to confidentiality.

We or the third parties mentioned above may occasionally also share personal data with:

- our external auditors, e.g. in relation to the audit of our accounts, in which case the recipient of the information will be bound by confidentiality obligations;
- our and their professional advisors (such as lawyers and other advisors), in which case the recipient of the information will be bound by confidentiality obligations;
- law enforcement agencies, courts, tribunals and regulatory bodies to comply with our legal and regulatory obligations;
- other parties that have or may acquire control or ownership of our business (and our or their professional advisers) in connection with a significant corporate transaction or restructuring, including a merger, acquisition or asset sale or in the event of our insolvency—usually information will be anonymised but this may not always be possible and the recipient of any of your personal data will be bound by confidentiality obligations.

If you would like more information about who we share our data with and why, please contact us (see '**How to contact us**').

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 not keep your personal data for longer than we need it for the purpose for which it was collected or as required by law. As a general rule, we will keep your personal data for at least *seven* years from the conclusion of your matter, in case you, or we, need to bring or defend any complaints or claims. However, different retention periods apply for different types of personal data and for different services, e.g.:

- we will need to keep information relating to a trust for the duration of that trust and for a minimum of seven years thereafter;
- in probate matters where there is a surviving spouse or civil partner, personal data may be retained until the survivor has died, to deal with the transferable inheritance tax allowance;
- wills and related documents may be kept indefinitely;
- deeds related to unregistered property may be kept indefinitely as they evidence ownership;
- where the matter involves a child, we will keep information for an appropriate period after the child turns 18.

YOUR RIGHTS

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

Access	You have the right to ask us for copies of your personal data. You can request other information such as where we get personal data from and who we share personal data with. There are some exemptions which means you may not receive all the information you ask for
Rectification	You have the right to ask us to correct or delete personal data you think is inaccurate or incomplete
Erasure (also known as the right to be forgotten)	You have the right to ask us to delete your personal data—in certain situations
Restriction of processing	You have the right to ask us to limit how we use your personal data—in certain situations, e.g. if you contest the accuracy of the data
Data portability	You have the right to ask that we transfer the personal data you gave us to another organisation or to you—in certain situations
To object	You have 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 our legitimate interests or a recognised legitimate interest condition under UK data protection law unless we demonstrate compelling legitimate grounds for the processing which override your interests or for establishing, exercising or defending legal claims

Rights in respect of automated decision making	Where significant decisions (those which produce a legal or similarly significant effect on you) are made using your personal data and based on solely automated processing with no meaningful human involvement, you have the right to have certain safeguards in place to protect your data subject rights, freedoms and legitimate interests. These safeguards include giving you information about the decision and enabling you to make representations, obtain human intervention and contest the decision. In addition, significant decisions made using special category personal data and based on solely automated processing are only allowed in certain specified scenarios, e.g. where you have given your explicit consent for the decision to be made using such data.
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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
or email / write to Clare Gissing our Data Protection Officer—see below: ‘How to contact us’;
let us have enough information to identify you (e.g. your full name, address and client or matter reference number);
proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill);
let us know what right you want to exercise and the information to which your request relates.

KEEPING YOUR PERSONAL DATA SECURE

We have implemented appropriate technical and organisational measures to keep your personal data confidential and secure from unauthorised access, use and disclosure. We limit access to your personal data to those who have a genuine business need to access it. Those processing your personal data will do so only in an authorised manner and are subject to a duty of confidentiality.

We require our business partners, suppliers and other third parties to implement appropriate security measures to protect personal data from unauthorised access, use and disclosure.

We also have procedures 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 required to do so.

HOW TO COMPLAIN

We acknowledge that we may not always get things right, so if something has gone wrong, we need you to tell us. You have the right to make a complaint to us and our complaints procedure can be found on our website. We hope we will be able to resolve any issues you may have.

If we are unable to resolve your complaint, you may also have the right to lodge a complaint with the Information Commissioner’s Office (the UK data protection regulator, also known as the ICO). The ICO’s contact details are:

Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Helpline number: 0303 123 1113

Website: <https://www.ico.org.uk/make-a-complaint>

Updating your personal data

We take reasonable steps to ensure your personal data remains accurate and up to date. To help us with this, please let us know if any of the personal data you have provided to us has changed, e.g. your name or address—see ‘**How to contact us**’.

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, or to exercise a right under data protection law or to make a complaint

Our contact details	Our Data Protection Officer’s contact details
Sprake & Kingsley 16 Broad Street Bungay Suffolk NR35 1EN	Clare Gissing Sprake & Kingsley 16 Broad Street Bungay NR35 1EN
E: info@sprakekingsley.co.uk	E: cgissing@sprakekingsley.co.uk
T: 01986 892721	T: 01986 891933

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).

“Sprake & Kingsley” & “Sprake & Kingsley Solicitors” are trading names of Sprake & Kingsley LLP,
a limited liability partnership registered in England and Wales (LLP Number OC422486)
whose registered office is: 16 Broad Street, Bungay, Suffolk, NR35 1EN

Partners: John Williams (Managing), Frances Davy, Clare Gissing & John Hay.