

PRIVACY POLICY

This privacy policy sets out what personal data we hold about you, how we manage it, how you can correct any discrepancies, how to contact us to make corrections or remove your data, and who we share it with. If you have any concerns not already covered here, please get in touch with either Julia Wright on juliawright@davidbarney.co.uk Bob Amos on bobamos@davidbarney.co.uk or Mark Feely on markfeely@davidbarney.co.uk or alternatively call 01438 314281 to speak to one of the above.

David Barney & Co is an organisation solely involved in providing legal services and as such only holds private data about you to enable your specific instructions to be fulfilled. This will primarily be in the areas of Residential and Commercial conveyancing, Probate and Child Care law. This is the legal basis for our processing of your data.

We may collect, use, store and transfer different kinds of personal data about you. Examples of this would be;

Data relating to your identity, marital status, title, date of birth and gender.

Data relating to your postal and email addresses and telephone numbers

Data relating to your finances, including bank account details and transactions with us.

Clearly if you fail to provide us with requested personal data, or instruct us to erase it, we may not be able to carry out the work that you have instructed us to undertake on your behalf and this may lead us to cancelling our professional contract with you.

We do not hold private data in order to sell that data to any third party or to benefit from it in any other way.

Following completion of the specific task you have instructed us to undertake your personal data will be held by us in accordance with statutory periods of retention, which are generally not less than 6 years but maybe up to 21 years.

MORE SPECIFICALLY:

How we collect data about you

We only hold data in respect of 4 areas of law;

1. Residential Conveyancing
2. Commercial Conveyancing
3. Will and Probate
4. Child care

In all of these departments we need to know your personal data to establish your personal and financial profile. In some areas your bank details will be required. We require this information to enable the legal transactions to be carried out in accordance with your instructions.

We may obtain this information directly from you, be it in person, by post, email, telephone or otherwise and it may come to us through third parties or other publically available sources. Examples of this would be;

From estate agents, mortgage providers or other financial institutions.

From organisations who undertake identity checks.

From public authorities who provide information to us in cases where you and your family are involved.

From other legal professionals or businesses directly involved in your contracted work with us.

From recruitment agencies, former employers or referees.

The above are just some examples and is by no means an exhaustive list.

How we use your personal data and with whom we may share it

Generally, we will use your personal data in the following ways:

In order to promote and perform the instructions you have given us on a specific piece of legal work.

Where we need to comply with a legal or regulatory obligation.

We do not store, process or share personal data outside of this remit.

This means that your personal data may be shared with organisations such as the Legal Aid Agency, the Land Registry, and the Probate Registry etc. In effect, organisations that are necessary to allow your instructions to be fulfilled, or for us to meet our professional and legal obligations.

Prior to undertaking work for you, your personal data may be shared, such as with organisations that assist in establishing identity checks to allow compliance with the Money Laundering Regulations.

In any other way that you may authorise us.

Updating Data

It is important that the personal data we hold about you is accurate and current.

Please keep us informed if your personal data changes, both whilst we are undertaking your specific instruction and at any time thereafter.

How we store your personal information

Personal data is primarily stored on a case file but may also be electronically stored both on hard drive and memory device. All electronic devices, fixed or portable, which store personal data will be password protected. Within the Child Care department, the emails are generally sent securely via Egress.

Child Care files contain physical management folders storing personal data. Residential conveyancing and Probate matters also have a computerised case management system in addition to a physical file. Following completion of the work we have carried out for you your physical file will be stored in offsite secure archiving.

We have in place appropriate security measures to prevent the loss or misuse of your personal data. If we share your personal data with third parties, as mentioned above, it is only because they have a legitimate need to know. In

turn, they will only process your personal data on our instructions and they too are subject to a duty of confidentiality.

We have procedures to deal with data breaches and will notify you and the appropriate regulator of any breach where we are legally required so to do.

Data Retention and Destruction

Personal data is kept for the statutorily advised periods post completion of the contracted work. Generally, no less than 6 years but can be up to 21 years. Physical files will thereafter be destroyed by an approved third party contractor.

Your Legal Rights

You have the right to request access to your personal data and to understand what data we hold about you, to check how we are using it and that it is accurate.

You may request that your personal data is returned to you or forwarded to a third party.

You may also request that we erase your personal data both during the course of the work we are conducting on your behalf or subsequent to its completion, though please be aware as mentioned above that this may affect our ability to carry out your instructions. Further, we may not be able to comply with your request for specific legal reasons which we will be happy to discuss further with you should you so wish.

Whilst we do not charge a fee for accessing/erasing personal data, we may choose to do so if we view your request as unreasonable in the circumstances at the time and this could include refusing to comply with your request.

Making a Data Protection Complaint

You have a right to complain to the Information Commissioners Office (ICO) if you think there may be a problem with the way we handle your data.

David Barney & Co
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