



www.henchleys.co.uk

PRIVACY NOTICE

BACKGROUND:

Henchleys understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all of our clients and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

1. Information About us

Business name : Henchleys

Business type : Solicitors

Main trading address : 39a High Street, Littlehampton, West Sussex. BN17 5EG

VAT Registration Number : 544 0081 76

Data Protection Officer : Kevin François Henchley

Email address : office@henchleys.co.uk

Telephone number : 01903 726477

Postal address : as per main trading address

We are authorised and regulated by the Solicitors' Regulation Authority (No. 71250)

2. What Does This Notice Cover?

This Privacy Information explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

3. What is Personal Data?

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the "GDPR") as 'any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier'.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

The personal data that we use is set out in Part 5, below.

4. What Are My Rights?

Under the GDPR, you have the following rights, which we will always work to uphold:

- a) The right to be informed about our collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 11.
- b) The right to access the personal data we hold about you. Part 10 will tell you how to do this.
- c) The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete. Please contact us using the details in Part 11 to find out more.
- d) The right to be forgotten, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we have. Please contact us using the details in Part 11 to find out more.
- e) The right to restrict (i.e. prevent) the processing of your personal data.
- f) The right to object to us using your personal data for a particular purpose or purposes.
- g) The right to data portability. This means that you can ask us for a copy of your personal data held by us to re-use with another service or business in many cases.
- h) Rights relating to automated decision-making and profiling. We do not use your personal data in this way.

For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in Part 11.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

5. **What Personal Data Do You Collect?**

We may collect some or all of the following personal data (this may vary according to your relationship with us:

- Name;
- Date of birth;
- Gender;
- Address;
- Email address;
- Telephone number;
- Business name;
- Job title;
- Profession;
- Payment information;
- Information about your finances.

Your personal data may be obtained from the following third parties:-

- For conveyancing/property transactions – HM Land Registry and any mortgagee. Estate agents distributing property particulars and memoranda of sale of heads of terms
- Pleadings/Orders/Witness statements and documents in relation to litigation where Henschleys is instructed to go on the record for the purposes of accepting service of papers
- For personal injury claims – hospitals and GP (but only with your written, specific consent)
- In relation to employment matters/disputes – your employer

We will also need to gather other details about you that are relevant to the work you want us to do.

Depending on the type of case or the advice you need, we might collect or handle more sensitive or “special category” information about you on matters such as your:-

- Racial or ethnic origin;
- Political opinion
- Religious or philosophical beliefs
- Trade Union membership
- Genetic information
- Identifiable physical, physiological or behavioural characteristics such as your facial image or fingerprints – e.g. biometric identity verification
- Health; and
- Sex life or sexuality

Children

If we are processing personal information for a child (under the age of 13 years) we will need the permission of the child’s parent/guardian. If the child is over 13 years, we will need the child’s permission.

The lawyer dealing with your case will be able to discuss all these matters with you in more detail if you require.

6. How Do You Use My Personal Data?

Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for our performance of a contract with you, because you have consented to our use of your personal data, or because it is in our legitimate business interests to use it. Your personal data may be used for one or more of the following purposes:

- Taking steps before entering into a contract with you for the provision of legal services
- Providing and managing your account.
- Supplying our services to you. Your personal details are required in order for

us to enter into a contract with you.

- Personalising and tailoring our services for you.
- Communicating with you. This may include responding to emails or calls from you.
- Supplying you with information by email and/or post and that you have opted-in to (you may unsubscribe or opt-out at any time by sending us a written request to this effect by email or post as per the information set out in Clause 1.
- Compliance with legal obligations imposed upon Henschleys – e.g. under Anti-Money Laundering laws.

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email and/or telephone and/or text message and/or post with information, news, and offers on our services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.

7. How Long Will You Keep My Personal Data?

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Your personal data will therefore be kept for the following periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

- We keep client files relating to services provided to clients for 7 years. This includes, for any particular matter, correspondence sent or received by post, fax or electronic means together with personal attendance notes, telephone attendance notes and transactional documentation concerning the subject matter of the matter dealt with by the firm.
- The 7 year time period commences when any particular matter comes to a conclusion.
- The reasons for proposing a 7 years retention period are:-
 1. Time limitation for contract matters is 7 years and the file of papers and data will therefore be available should you require access to the same
 2. Information and data from one matter frequently assists in relation to a later, subsequent matter, e.g. information on the purchase of a house/property may greatly assist on a subsequent sale of the same house/property
 3. You may lose important information, documents and data and we may, within the 7 year period, be able to assist you, e.g. if your accountants or HMRC require any details, documents or data.

8. How and Where Do You Store or Transfer My Personal Data?

We will only store your personal data in the UK. This means that it will be fully protected under the GDPR.

9. **Do You Share My Personal Data?**

We may sometimes contract with the following third parties to supply services to you on our behalf. In some cases, those third parties may require access to some or all of your personal data that we hold

- In litigious matters we may instruct a barrister to assist with your case
- In relation to property transactions, we may have to deal with registration of title at HM Land Registry and the submission of your personal data and transactional details to HMRC for Stamp Duty and tax purposes
- In relation to litigation matters, personal data will have to be passed to any Court or Tribunal involved and served upon other parties to any such proceedings
- Invariably, during the course of providing legal services, we will have to communicate with third parties or their solicitors concerning the subject matter of our instructions. Personal data passed on will be limited to what is necessary to undertake the transaction or matter the subject of your instructions to the Firm.

If any of your personal data is required by a third party as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations and the third parties obligations under the law.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

10. **How Can I Access My Personal Data?**

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”.

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 11.

There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within 21 days and, in any case, not more than one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

11. **How Do I Contact You?**

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details (for the attention Mr K F Henschley):-

Email address: office@henschleys.co.uk

Telephone number: 01903 726477

Postal Address: 39a High Street, Littlehampton, West Sussex BN17 5EG.

12. **Changes to this Privacy Notice**

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be made available at : www.henchleys.co.uk