

Privacy Notice

Carter Bells LLP Privacy Notice

Carter Bells LLP takes data protection very seriously and this notice is to help you understand how we use your personal information.

It is important that you read the whole notice. It aims to give you information on how we collect and process your personal data, either when you contact us in person, by telephone, email, post or otherwise, including through use of our website and any data you provide via our website enquiry form. It also provides you with information as to your rights in relation to your personal information, and on how to contact us and supervisory authorities if you have a complaint.

The purpose of this Privacy Notice

I. Identity

We are Carter Bells LLP Solicitors, a law firm authorised and regulated by the Solicitors Regulation Authority. References to 'the firm', 'we', 'us' or 'our' are references to Carter Bells LLP solicitors. We collect, use and are responsible for certain personal information about you. When we do so we are regulated under the Data Protection Act 2018 and we are responsible as 'controller' of that personal information for the purposes of those laws.

We have appointed a partner to be responsible for data protection and take responsibility for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the partner responsible for data protection using the details set out below.

The person responsible for data protection is Frank Horder:

frank.horder@carterbells.co.uk
telephone number 020 8939 4005

Carter Bells LLP
Kings' Stone House
12 High Street
Kingston-upon-Thames
Surrey KT1 1HD

2. Updating this privacy notice

This notice may be updated from time to time. This version is dated 24 day of February 2022.

3. Key terms

Personal data – any information relating to an identified or identifiable individual.

Special category personal data – personal data revealing racial, ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership; genetic or biometric data; data concerning health, sex life or sexual orientation.

4. The data we collect

In the course of the legal services, we provide to you, we collect the following personal information when you provide it to us.

Personal data we collect	Personal data we collect depending on why you have instructed us
Your name, address and telephone number	Your financial details so far as relevant to your instructions e.g., the source of funds if you are instructing on a purchase transaction
Information to enable us to check and verify your identity e.g. Your date of birth or passport details	Your national insurance and tax details
Electronic contact details e.g., your email address and mobile telephone number	Your bank and building society details
Information relating to the matter in which you are seeking advice or representation	Details of any online presence, e.g., where are relevant to your matter
Information about your use of our IT, communication and other systems.	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 your salary and benefits e.g., if you instruct us on a matter related to your employment or in which your employment status or income is relevant

	<p>Details of your pension arrangements e.g., if you instruct us in relation to financial arrangements following breakdown of a relationship</p> <p>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 employment records are relevant or in connection with financial proceedings, in which details of your income are relevant</p> <p>Personal identifying information, such as hair or eye colour or your parents' names where relevant to your matter</p> <p>Your medical records, where relevant to your case</p> <p>Details of your children's names and dates of birth where relevant.</p>
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The personal data is required to enable us to provide our service to you. If you do not provide the personal data we request, it may delay or prevent us from providing services to you.

5. Information collected from other sources

Most of the information will be provided by you directly to us however we may also need to collect information:-

- a. From publicly accessible sources e.g., Companies House or HM Land Registry;
- b. Directly from a third party e.g., client due diligence providers;
- c. From a third party with your consent e.g. (i) your bank or building society, another financial institution or advisor (ii) consultants and other professionals we may engage in relation to your matter (iii) your employer and/or trade union professional body or pension administrators (iv) your doctors, medical and occupational health professionals;
- d. Via our website;

- e. Via our information technology (IT) systems e.g. (i) case management, document management and time recording systems (ii) automated monitoring of our website and other technical systems, such as our computer networks and connections, communication systems, email and instant messaging systems.

6. How we use your personal information

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

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

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

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

What we use Personal Data for	Our reasons
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
<p>Conducting checks to identify our clients and verify their identity</p> <p>Screening for financial and other sanctions and embargos</p> <p>Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business e.g., under health and safety regulations or rules issued by our professional regulator</p>	To comply with our legal, statutory and regulatory obligations

Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal, statutory and regulatory obligations
Statistical analysis to help us manage our practice e.g., in relation to our financial performance, client based, work type or other efficiency measures	For our legitimate interest or those of a third party, i.e., to be as efficient as we can so we can deliver the best service for you at the best price
Updating client records	For the provision of legal services to you to take steps at your request before entering into a contract. To comply with our legal, statutory and regulatory obligations. For our legitimate interest or those of a third party e.g., making sure we can keep in touch with our clients about existing and new services
Statutory returns	To comply with our legal, statutory and regulatory obligations
Ensuring safe working practices, staff administration and assessments	To comply with our legal statutory and regulatory obligations. For our legitimate interest or those of a third party e.g., to make sure we are following our own internal procedures so we can deliver the best service to you
Marketing our services to existing former clients and third parties who have previously expressed an interest in our services	For our legitimate interest or those of a third party, i.e., to promote our business to existing and former clients
Credit reference checks by external credit reference agencies	For our legitimate interest or those of a third party i.e., credit control
External audits and quality checks e.g., SRA audit, Law Society Conveyancing Quality Standard, audit of our accounts and compliance and quality control audits	For our legitimate interest or those of a third party i.e., to maintain our accreditation so we can demonstrate that we operate at the higher standard. To comply with our legal, statutory and regulatory obligations.

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

7. Promotional communications

We may use your personal data to send you updates by email or post about legal developments that might be of interest to you and/or information about our services. We have a legitimate interest in processing your data for promotional purposes. This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly. We will always treat your data with the upmost respect and will never sell it to other organisations for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by contacting us at frank.horder@carterbells.co.uk and letting us know your preference. We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation or the structure of our business.

8. Sharing your personal information

We will only share your personal information where necessary in the provision of services to you, in line with the Law Society Conveyancing Protocol, or to improve our service provision. This could be:-

- a. Professional advisors who instruct on your behalf or refer you to e.g., barristers, medical professionals, accountants, tax advisors or other Experts;
- b. Other third parties where necessary e.g., solicitors, bank or HM Land Registry in the case of a property transaction, or Companies House or HM Revenue & Customs;
- c. A credit reference agency;
- d. Our insurers and brokers;
- e. External auditors e.g., in relation to SRA audit, Law Society Conveyancing Quality Scheme Standard and the audit of our accounts;
- f. Our banks;
- g. External service suppliers, representatives and agents that we use to make our business more efficient e.g., typing services, marketing agencies, document collation or analysis suppliers.

We will share personal information with law enforcement or other authorities if required by applicable law. We will not share your personal information with any other third party, save for the purpose of its confidential destruction, as and when appropriate.

9. How long your personal information 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:-

- a. To respond to any questions, complaints or claims made by you or on your behalf;
- b. To show we treated you fairly;
- c. To keep records required by law;
- d. To ensure we are able to identify any potential conflict of interest.

10. Your rights

Under data protection regulations you have a number of important rights which you are entitled to exercise free of charge. In summary, those include rights to:-

- a. Fair processing of information and transparency of how we use your personal information to access to your personal information and to certain other supplementary information that this privacy notice is already designed to address;
- b. To require as to correct mistakes in your information which we hold;
- c. Require the erasure of personal information concerning you in certain situations;
- d. Require the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit that data to a third party in certain situations;
- e. Object at any time to processing any personal information concerning you for digital marketing;
- f. Object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affects you;
- g. Object in certain situations to our continued processing of personal information;
- h. Otherwise restrict our processing of your personal information in certain circumstances.

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioners Office (ICO) on Individual Rights under the General Data Protection Regulations at www.ico.org.uk

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

- a. Email, call or write to Frank Horder, using the contact details as given above;
- b. Please ensure you provide us with enough information to identify you;

- c. We will need proof of your identity and address (a certified copy of your driving licence or passport and a recent utility or bank statement or credit card bill); and
- d. Do let us know the information to which your request relates, including any account or reference number where possible.

11. Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know 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 security breach where we are legally required to do so.

12. How to complain

We hope that we can resolve any query or concerns you may have about our use of your information. However, if you are not satisfied with our use of your personal information or our response to any request by you to exercise your rights, or if you think we have breached any relevant data protection laws, then you have the right to complain at any time with the authority that supervises our processing of your personal information, the Information Commissioners Office (ICO), the UK Supervisory Authority for Data Protection Issues who may be contacted at www.ico.org.uk or telephone number 0303 123 1113. We would however, appreciate the opportunity to deal with your concerns before you deal with the ICO, so please contact Frank Horder in the first instance using the contact details given above.

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