

## **Data Privacy Notice**

### **Introduction**

This Data Privacy Notice explains how Underwood Vinecombe LLP (referred to as “we” or “us” in this Notice) protect and process personal data on behalf of clients and others using our services and website.

Please read this Notice carefully to understand why data is collected and what we do with the data once it is in our possession.

This Notice should be read alongside our other policies which make reference to data protection.

Clients of the firm should also refer to our general Terms and Conditions which provide further information on confidentiality, data privacy and data disclosure.

The website covered by this Notice is [www.uvlegal.co.uk](http://www.uvlegal.co.uk)

This Notice does not apply to any websites that may have a link to ours.

### **Accountability**

Data is collected, processed and stored by Underwood Vinecombe LLP of Telford House, Outram’s Wharf, Little Eaton, Derby DE21 5EL, who is the data controller.

Underwood Vinecombe LLP is a limited liability partnership registered in England under number OC338237.

Our VAT number is 937 4748 80.

We are authorised and regulated by the Solicitors Regulatory Authority (SRA Number 493335).

### **Applicability**

This Notice is intended for clients and prospective clients only. Applicants for employment and employees have their own Data Privacy Notice.

### **Children**

Our website and services are not aimed specifically at children because in legal work children are generally represented by their parents or guardians.

### **Personal information**

The exact information we will request from you will depend on what you have asked us to do or what we are contracted to do for you.

We always keep requests for information to the minimum level required to carry out your work.

Typically, we will need your full name, address, date of birth, e -mail and contact telephone numbers. We may also request copies of passports, driving licences, utility bills and similar to assist in confirming your identity.

If a transaction is involved, we will need details to support the funding of the transaction and how the funds came to be accumulated, in order to comply with our obligations under Anti -Money Laundering Regulations.

Whilst we appreciate that such requests can be intrusive, we are prevented by law from proceeding with your work until these checks have been completed.

As part of our anti-money laundering procedures we may carry out on-line searches to assist us in verifying your identity and any related parties to the matter or transaction. We may use companies within the EEA or globally to assist with these obligations, but we will ensure that these parties keep personal information safe whilst in their possession.

### **Categories of personal data held**

Occasionally, we may need to ask you about medical or other sensitive personal information, sometimes referred to as 'special categories' of data. Such a request will require your explicit consent and would only be made if this information is required to carry out your legal work, provide you with assistance when on our premises or help us to understand any vulnerability you may have.

Such data would include:

- Racial or ethnic origin.
- Political opinions.
- Religious beliefs or philosophical beliefs.
- Trade union membership.
- Physical or mental health or condition.
- Sex life and sexual orientation.
- Genetic data.
- Biometric data used to uniquely identify an individual.

In certain cases, we may need to share this information with third parties, such as Counsel. Information is only shared if there are safeguards in place to ensure that the information remains confidential and secure.

### **Sources of information**

We may obtain information about you from a number of sources:

- You may volunteer the information. This could be done verbally, in writing (for example, by letter, e-mail or fax) or input through our website. You must have the authority to disclose personal data if it relates to someone else and all data disclosed should be complete, accurate and up to date.
- Information may be passed to us by third parties in order that we can carry out our legal work on your behalf. Typically, these organisations may be:
  - Banks or building societies.
  - Organisations that have referred work to us.
  - Other professional service firms such as accountants or independent financial advisors.
- On websites non-identifiable information on you may be collected.

Because of the nature of our work, your personal information is never obtained from publically accessible sources.

### **Use of your personal data**

The primary reason for asking you to provide personal data is to allow us to carry out your legal work (clients) or to respond to requests for information (prospective clients) such as providing a quote.

Your information may be used for:

- Verifying your identity and establishing the funding of any transaction you have asked us to carry out on your behalf. This may involve us asking about how you came to accumulate the funds that are being used in your transaction. In a limited number of cases, where funding is being provided by family member or third party, we may need to ask you to obtain information from them and personal information provided to us will also be subject to the terms of this Notice.
- The detection of fraud.

- Communicating with you during the matter.
- Providing you with advice, to carry out litigation on your behalf or on behalf of any organisation you represent, prepare documents or to complete transactions on yours or your organisation's behalf.
- Keeping financial records of your transactions and the transactions we make on your behalf. We do not store payment card information.
- Seeking advice from third parties in connection with your matter.
- Assisting you with the funding of your matter if it involves Legal Aid or 'no win no fee'.
- Responding to any complaint or allegation of negligence against us.
- Providing updates and ID information to third parties connected to your transaction when this is in your interests and there is no disadvantage to you by so doing.
- Internal management and planning, which includes:
  - Resource management.
  - Planning of tasks or meetings.
  - Keeping records of sources of work and new enquiries.
  - Storage and archiving of files and documents.

### **Disclosure of data**

During the course of carrying out your legal work we are likely to need to disclose some information to parties outside of Underwood Vincombe LLP, but these disclosures are only made when required by your work. Examples might include:

- HM Land Registry to register a property.
- HM Revenue and Customs for your Stamp Duty Land Tax liability.
- A court or tribunal.
- The solicitors acting on the other side of your matter.
- External providers of IT support and system administration services. All data held by these providers remains in the UK.
- Legal counsel or non-legal experts to obtain advice or assistance on your matter.
- The bank or building society or other lender providing your mortgage finance.
- The insurance company funding a 'no win no fee' matter for you.
- Auditors, for the purposes of checking compliance with the SRA Accounts Rules. Our regulators, the Solicitors Regulation Authority, may also request direct access to our client's records.
- Solicitors and insurers representing our interests in the event of a claim against us by you.
- A prospective purchaser (or their advisors) of this business under a binding non-disclosure agreement.
- The providers of identity verification and assurance tools in order to confirm that we can take you on as a client.
- Any disclosure required by law, in particular in relation to the prevention of financial crime and terrorism.
- Estate agents, mortgage brokers and developers (conveyancing work) and accountants and other professional services firms.

There are some uses of personal data that require your specific consent. If these apply to you, we will contact you directly to explain what they are and to ask for your consent, which you are free to withdraw at any time.

### **How long we keep your information for**

Information may be held digitally (on site or in the cloud) or in manual files. We only retain the information for as long as is necessary:

- To carry out your work.
- As is required to be kept by law.
- Until the period that you could make a claim against us has elapsed, which is usually six years after the matter concluded.
- For the duration of a trust, plus six years.
- Wills and related documents can be kept for 84 years from the date the will was signed.
- Probate matters where there is a surviving spouse or civil partner are retained until after the survivor has died in order to deal with the transferable Inheritance Tax allowance.
- Deeds related to unregistered property are kept indefinitely as they evidence ownership.
- To comply with your instructions to either retain or to extend the retention period in relation to your documents.

Information obtained from prospective clients is kept for up to twelve months for the purpose of providing quotations and any subsequent follow up.

### **Sharing of data**

We do not share personal information with third parties unless we need to do so. The reasons for disclosure and the parties to whom disclosure takes place are described above. Client and prospective client data is processed and stored on computers.

We never sell your personal information to third parties.

Information obtained from our website allows us to provide quotes and carry out work, if instructed.

Our staff are vetted and trained and have a duty of confidentiality. Access to data is controlled and monitored internally.

### **Data transferred outside the EEA**

Where possible, your personal information will be processed within the European Economic Area (EEA).

We will ensure that if your data is transferred to a country or territory outside the UK or EEA that has not received a binding adequacy decision by the European Commission or a competent national data protection authority, then such transfer will be subject to appropriate safeguards that provide an adequate level of protection.

### **Data protection and security**

We have technological and operational security policies and procedures in place to protect your data from loss, misuse, alteration or unintentional destruction. Our staff who have access to the information have been trained to respect your confidentiality and to look after the data in our possession.

### **Visitors to our website**

You can gain access to most of our website without giving us your personal information. However, where you have the option to provide us with your personal information through our website, you consent to our use of it as set out in this Notice.

### **Inaccurate information**

If you think any information we hold about you is incorrect or incomplete or has been changed since you first told us, please let us know as soon as possible so that we can update our records.

### **Access to your personal information**

If you wish to make a 'data subject access request', please write to Underwood Vincombe LLP or contact the person dealing with your matter.

A data subject access request only entitles you to a copy of the personal information we hold on you, such as your name, address, contact details, date of birth etc. This means that a data subject access request will not result in you receiving a copy of a file.

### **What happens if you do not want us to use your personal data**

Your rights include the right to object to specific types of processing and the right to be forgotten.

We have a contractual relationship with our clients that includes a right for us to process their personal information. This means that clients cannot object to our processing of their personal information.

In certain situations, you may be able to ask for restrictions to be placed on the processing of your data or to exercise your right to be forgotten.

A restriction has the effect of freezing data so we would continue to store your personal information but could not do anything with it. This might be relevant to you if you had any query or concern over the way your data was handled. A right to be forgotten would usually apply if data is processed unlawfully or otherwise fails to satisfy the requirement of the relevant data protection laws.

### **Complaints about the use of your personal data**

Please contact the person dealing with your matter if you have any complaint or concern over how your data has been or will be used. That person will acknowledge your complaint and reply to your concerns. If you are not satisfied with the response, the UK regulator on data protection issues is the Information Commissioner's Office. Their website is [www.ico.org.uk](http://www.ico.org.uk)

### **Automated decision making**

We do not use your information for automated decision making.

### **Changes to this Data Privacy Notice**

The current data privacy notice will always be available on our website. Any material changes will be advised to you.

### **Jurisdiction and applicable law**

The English courts will have exclusive jurisdiction over any claim arising from or related to a visit to our website or a data breach.

January 2023