

DATA PROTECTION

How we use your data

We are registered as a Data Controller with the Information Commissioners Office. We will use the information that you give us to provide you with legal services, as per your instructions. We will keep your information confidential and will only use it for the purpose(s) for which it was provided or as is permitted in law (i.e. for dealing with complaints or regulatory investigations).

Outsourcing of our services

Sometimes we have outsourcing arrangements with external companies which cover a range of services including, but not limited to secretarial and administration support, credit control and teleconferencing facilities to ensure that our services are provided promptly and efficiently. Personal data and confidential information that we hold may be passed to these providers in order for them to undertake these services. In doing so we will always take care to ensure that your information remains confidential and safe. In particular, we have appropriate data protection and confidentiality agreements in place with each of the providers.

Please see our data protection page for more information:

<https://www.sinclairslaw.co.uk/about-us/data-protection>

Sharing information

If you are a client under the legal aid scheme then we may be contractually required to share some or all of that information with the Legal Aid Agency and / or with our quality assurance auditors.

Occasionally, we may need to share some or all of your information with our quality assurance auditors for the purposes of their assessment of whether we are adhering to quality standards. In particular, our files may need to be assessed for quality purposes by a Conveyancing Quality Scheme assessor and your file may be one of a sample which is to be assessed. Any examination will be strictly controlled and will be shared for the sole purpose of ensuring that our handling of your matter meets the requirements of the quality standard.

We may have to share some or all of your information with other third parties. This may include barristers, experts and other third parties who we need to instruct to assist us with your matter. We may also have to share information with the Legal Ombudsman (if you complain about our services) and the Solicitors Regulation Authority (the statutory body that regulates solicitors). In doing so we will always take care to ensure that your information remains confidential and safe. We will liaise with you during your case about which experts, barristers and other third parties we instruct on your behalf.

We may wish to contact you in the future about our other services. Please let us know if you are happy to receive that information. To inform us of your preference, you are invited to tick the relevant box in the notice provided with your client care letter and return it to us.

Your Rights

You have rights as a Data Subject under the General Data Protection Regulation as incorporated into the law of the United Kingdom by virtue of the European Union (Withdrawal) Act 2018 (and known as

the UK GDPR), the EU General Data Protection Regulation (EU GDPR) and the Data Protection Act 2018.

Our Privacy Policy which is made available on our website at <https://www.sinclairslaw.co.uk/about-us/data-protection> and/or will be provided on request contains important information on how and why we collect, process and store your personal data. It also explains your rights in relation to your personal data.

Your rights include the right to be informed what information we hold about you which is known as a data subject access request (although obviously it is likely that you will have provided us with such information as we hold).

You also have the right of access and to request a copy of any information about you that we hold at any time. You also have a right of rectification and, in particular, to request that information is corrected if it is inaccurate.

There are also other rights available to you but these may be limited to a certain extent should you become a client as we may have overriding regulatory duties with respect to handling of your data for the purposes of providing services to you.

In particular, you may have a right of erasure (also known as the right to be forgotten). In certain circumstances, this allows you to request that we erase your personal data. This is not an absolute right however and, once you become a client of our firm, we will be required by our regulators and for legal purposes to retain some of your personal data and other information within casefiles (for retention periods, please see below).

If you are concerned about our handling of your personal data, there are also other rights available to you: a right to restrict processing; a right to data portability; a right to object and to request we stop processing your personal data; and a right in relation to automated decision making and profiling.

Importantly, you also have rights to complain to the Information Commissioner's Office if you feel that your data is not being handled properly.

For information on how your information is used, how we maintain the security of our information, and/or to exercise any of your data rights as explained above, please contact us. Similarly, if you wish to make a complaint in relation to our handling of your data, such as any potential data breach, then please contact us at the earliest opportunity.

Further Information about your data rights and how to exercise them is set out in our Privacy Policy (see above about how to access that). Further details are also available by visiting the Information Commissioner's Office's website at: <https://ico.org.uk/your-data-matters/>.

Please mark your enquiry, request or complaint for the attention of Julia Martin or John Ford who is our Data Protection Officers and the person in this firm responsible for data protection. All enquiries and requests can be sent to them by telephone 029 2038 8398, by emailing j.martin@sinclairslaw.co.uk or in writing to Sinclairslaw, Charles House, Churchill Way, Cardiff, CF10 2HE.

How long will we hold your data?

We will only hold your information for as long as necessary to provide you with legal services and then for only so long as we are required either contractually or under our regulatory obligations. This will generally be six years after the end of your matter. For some cases, for instance where you or a named party are currently under the age of eighteen, we may decide that we are required and/or it is proper and appropriate to keep your data for longer than this period, but we will notify you if we believe that your case falls into this category.

After the designated retention time, we will confidentially destroy all information that we hold about you (in accordance with the clauses below relating to storage and retrieval) other than your name, address and date of birth or other information which we will be obliged to continue to hold for the purposes of ensuring that we never act for another client where doing so would conflict with our obligations of confidentiality to you.