

Privacy Notice

Hodge Halsall Solicitors Limited (“we” or “us”) are committed to protecting your personal information. This explains how we collect and use the personal information we hold about clients and others who use our services and websites.

Please read this notice carefully to understand why we collect information and what we do with that information once it is in our possession.

If you are a client of the firm please also refer to our Terms and Conditions which provide additional detail about confidentiality, data privacy and data disclosure.

Our websites covered by this notice are:- www.hodgehalsall.co.uk and www.oaktreeprobate.co.uk

Who we are

Hodge Halsall Solicitors Limited is a limited company registered in England with number 10451228. Our registered office is 18 Hoghton Street, Southport, Merseyside PR9 0PA.

Hodge Halsall Solicitors Limited is a data controller registered with the Information Commissioners Office with registration number ZA231376. We are authorised and regulated by the Solicitors Regulation Authority.

Our data protection contact is Derek Alman. He can be contacted by email at derekalman@hhlegal.co.uk or by telephone (01704 531991).

How is your information collected?

Personal data, or personal information, means any information about an individual from which that person can be identified. We may ask you for, use, store and transfer different kinds of personal information about you but typically that will include:-

- **Identity data** – full name, marital status, title, date of birth and gender, family details and employment details
- **Contact data** – address, email address and telephone numbers
- **Financial data** – bank account details
- **Usage data** – information about how you use our websites and services

In some cases we may need to ask you about medical or other information of a sensitive nature if it is required to carry out the work that you have asked us to perform for you.

In order to meet our legal obligations to verify your identity, we will require you to provide the originals of certain documents and to respond to questions raised. If we are acting for you in a transaction involving the transfer of money, we will ask you about the source of the funds and will require from you documents to confirm that source. We may need to carry out on line searches to assist us in verifying your identity. We understand that such

requests may be considered intrusive but we are unable to proceed with such transactions until these checks have been completed.

Once your matter has been finalised, we retain your file in archive for at least 6 years.

Special categories of personal information

We will always minimise our request for information to the level that we require to carry out your work.

In some cases, however, we may need to ask for more sensitive personal data, including information about your:-

- physical or mental health or condition;
- biometric data used to uniquely identify an individual;
- trade union membership;
- racial or ethnic origin;
- sex life and sexual orientation;
- political opinions, religious or other beliefs;
- offences and alleged offences;
- criminal proceedings, outcomes and sentences

In some cases, we may need to share this information with others. If, for example, we have to instruct a medical professional to provide us with a medical report for the purposes of the work we are carrying out for you. We only do this where there are safeguards in place to ensure that your information remains confidential and secure. We will notify you in advance before we share information in this way.

How is your personal information collected by us?

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

- Usually, you will provide us with the information when giving us instructions for the work that you want us to perform for you. This may be done verbally at a meeting or by phone, in writing (which includes letter, email or fax), by filling in forms or through our website. You must have authority to disclose personal information if it relates to somebody else. All information disclosed should be accurate and up to date.
- We may receive personal information about you from third parties including:-
 - Banks and Building Societies;
 - Other professionals such as Accountants, Estate Agents or Independent Financial Advisers who refer work to us;
 - Other organisations that provide your personal records information to us

We do not receive data from publicly assessable sources.

How we use your personal information

We will only use your personal data to carry out your requests for us to perform work on your behalf. Most commonly, we will use your personal information in the following circumstances:-

- Providing you with advice
- Verifying your identity and establishing the source of funds of any transaction you have asked us to carry out on your behalf
- Communicating with you during the matter
- To carry out litigation on your behalf
- Attending Court and Tribunal hearings on your behalf
- To complete other transactions on your behalf
- To maintain financial records of your transactions and the transactions we make on your behalf
- To seek advice from third parties in connection with your matter
- To assist you with funding of your matter, if required
- To detect fraud
- For internal management purposes which include:-
 - keeping records of new enquiries
 - planning of tasks or meetings
 - resource management
 - storage and archiving of files and documents
 - providing you with information about further legal work or services that may benefit you, whilst we are carrying out your work

In some cases, if your transaction is being funded by a family member or other third party, we may need to request you to obtain personal information from them which will also be subject to the terms of this privacy notice.

We do not store your payment card information.

Our legal basis for processing your personal information

We require a lawful basis in order to process your personal information. We have reviewed the purposes of our processing activities and have checked that the processing is necessary for the relevant purpose. We may process your personal information for more than one lawful purpose depending on the specific reason for which we are using your data. We consider the most likely legal bases for uses of your personal information may include that:-

- it is necessary for our legitimate interests in operating our business and/or providing you with services;
- it is necessary for the performance of contracts to which you are a party with us as you have asked us to do something on your behalf and/or there is a contractual obligation to fulfil;
- we have a legitimate commercial interest in processing your personal information

Please contact us if you need more information about the specific legal basis we are relying on to process your personal information.

Disclosures of your personal information

During the course of the work that we carry out for you, we are likely to need to disclose some information to third parties. Such disclosures will only be made when required for your work. A non-exhaustive list of examples includes providing such information to:-

- Courts and Tribunals
- HM Land Registry for property transactions
- HM Revenue & Customs for property and estate transactions
- Barristers to obtain advice or assistance on your matter
- Banks and Building Societies or other lenders who may provide funding for your transaction
- Health care professionals, social and welfare organisations
- Current, past or prospective employers
- Solicitors acting for the other side of your matter
- Insurance Companies
- Our Solicitors Accounts Rules auditors who are required to perform regulatory checks on behalf of the Solicitors Regulation Authority
- Our insurers and Solicitors representing our interests in the event of a claim against us
- Consultants who provide independent quality checks of our files in connection with ISO and Investors in People accreditation
- Providers of identity verification information in order to confirm that we can take you on as a client
- Any other disclosures we are required to make by law

How long do we keep personal information for?

We will not keep your personal information longer than is necessary for the purpose for which it was provided unless we are required by law or have other legitimate reasons to keep it for longer.

We will normally keep information for no more than 7 years after the end of the service that we provided to you. In certain cases, we will keep your information for longer, including situations where:-

- If we have acted for a child under 18, we keep the papers for 7 years until after the child attains his/her 18th birthday;
- If we have acted in a Trust, we keep the information for the lifetime of the Trust plus 7 years;
- Wills and related documents may be kept for over 60 years from the date the Will was signed.

In Probate matters where there is a surviving spouse or civil partner, we retain files until the survivor has died in order to be able to deal with the transferrable Inheritance Tax allowance.

If you have asked us for a quote or discussed with us a potential job and then choose not to instruct us, we will generally keep the information for 6 to 12 months.

Data transfer outside the EU

Whilst we do not routinely do so, we may need to disclose your data to businesses outside the EU. If this is necessary, we require the recipients to provide the same high level of security precaution to keep your personal information safe.

How do we protect your personal data?

We will take all steps reasonably necessary to ensure that your data is treated securely and we operate policies and procedures to protect your data from loss, misuse, alteration or unintentional destruction. Our staff are trained to respect your confidentiality and to ensure that your data is treated securely whilst in our possession.

We apply the following safeguards:-

- **Electronic access** - all data stored about you electronically is password protected. Each user is responsible for keeping their password confidential.
- **Office access** - access to our working offices is secured by means of door entry control. Our reception is staffed during normal working hours.
- **Document disposal** - paper documents are disposed of by shredding by outside contractors to maintain confidentiality.
- **Firewalls and encryption** - industry standard firewall protection and encryption technology is applied.
- **Training** - we train our employees to maintain high levels of data security.
- **Payment details** - we operate vigorous procedures designed to ensure payment and banking information is accurate and confidential.

Transmission of information via the internet cannot be considered completely secure. Although we endeavour to do our best to protect your personal information, we cannot guarantee the security of your data sent to our website. Any transmission is at your own risk.

Our website

We use “analytical” cookies on our website. In particular, we use Google Analytics, to collect information about how visitors use our site. The cookies collect information anonymously including the number of visitors to the site, where visitors have come to the site from and the pages on the site that they have visited. No attempt is made to find out the identity of those visiting the website.

Access to your personal data

Under the General Data Protection Regulation you have a number of legal rights relating to the information that you give us, or which we collect about you:-

- **The right to access your personal information** - you are entitled to a copy of the personal information we hold about you and certain details about how we use it. This information will usually be given in writing, unless otherwise requested, or where you have made the request by electronic means we will provide the information electronically where possible.
- **The right to rectification** - we take reasonable steps to ensure that the information we hold about you is accurate and complete. If you do not believe that is the case, you can ask us to update or amend it.
- **The right to erase the information** - this right can only be exercised in certain circumstances and, if you ask us to erase your information and we are not able to do so, we will explain why not.
- **The right to object to our using/storing your information** - if we can demonstrate why we have a legitimate business interest which is more important than your interests, rights and freedoms, we are entitled to continue to process your information.
- **The right to restrict processing in certain circumstances** - when we can continue to store your data but not use it

If you wish to make a request, please do so in writing addressed to our Practice Manager Derek Alman or by emailing him at derekalman@hodgehalsall.co.uk

Complaints about the use of your personal data

If you are not satisfied with the response that you receive from us about use of your personal data you may complain to the Information Commissioners Office. Their telephone number is 0303 123 1113. Their website is www.ico.org.uk

Automated decision-making

We do not use automated decision-making processes.

Any questions regarding this notice and our privacy practices should be sent by email to derekalman@hodgehalsall.co.uk