

# CARLTONS SOLICITORS LIMITED

## Privacy notice

### What is this?

1. When you deal with Carltons Solicitors Limited you trust us with your information. We take privacy seriously and we are committed to protecting the data you provide to us.
2. This notice explains when and why we collect personal data about you, how this data is used, the conditions under which it may be disclosed to others and how it is kept secure.
3. This notice may change from time to time so please revisit this page occasionally to ensure that you are happy with any changes.

### Who we are

4. Carltons Solicitors Limited is a Limited Company with registered company number 069 49077 and its head office is at 503 Coventry Road, Birmingham, B10 0LL. Carltons Solicitors Limited is the controller of your personal data when you engage it to provide services to you; this means that Carltons Solicitors Limited decides why and how your personal data is processed. Carltons Solicitors Limited is registered with the Information Commissioner under registration number Z876774X.
5. Where this policy refers to Carltons Solicitors Limited 'we', 'our' or 'us' below, unless it mentions otherwise, it is referring to the company that is the controller of your personal data.

### How we collect your personal data

6. We may collect and process the following information about you in the following ways.
7. We may receive information about you from you or third parties when we are acting for, or considering acting for, a client and we are required to obtain information about you, for example if you are a beneficiary of an estate or a party or a witness in a case. The information we receive may include your contact details, identification information, financial information, employment information, details included in any correspondence and information about you in connection with any matter on which we are engaged or may be engaged to advise our client. Where we receive information about you, we will only use that information for the purposes of the legal transaction matter.

## *Information that you give to us*

8. You provide information about yourself when you make an enquiry to Carltons Solicitors Limited or ask us to provide legal services to you or by communicating with us by phone, post, email, or otherwise. It includes additional information that you provide to us during the course of any matter.
9. The information you give to us mainly includes your contact details, identification information, financial or billing information, employment information, details included in any correspondence and information about you in connection with any matter on which we are engaged to advise to help us in the course of a transaction or to pursue or defend a case.

## *Information we receive from other sources*

10. We may receive information about you from third parties. For example:

- In transactional matters

Law firms, accountants and other professional advisers acting for you where you or our client is a party to or otherwise concerned in the course of, for example:

- a corporate transaction (where your details may be placed in an online data room by us or another party);
- a commercial or domestic property transaction;
- a family, trust or probate matter; and
- due diligence.

- In litigation, arbitration, mediation and other forms of dispute resolution

Law firms, counsel, experts and other professional advisers acting for you or our client, or from third parties, where you or our client is a party to or otherwise concerned in the course of, for example:

- dispute resolution whether potential or current;
- disclosure, exchange of witness or expert evidence;
- obtaining employment, health, educational records or reports; or
- liaising with court agents, court officers (i.e. sheriffs and enforcement officers) or trace agents in order to progress or respond to a matter.

- From financial institutions

Banks, building societies and finance companies, who are clients of ours or from whom we are given or request information, where you are their customer/debtor.

- From clients acting in a representative capacity

Personal representatives, attorneys, trustees, deputies and litigation friends who may provide us with information in connection with a matter, whether non-contentious or not, in which we are acting for you or a client.

Friends, family members or colleagues who may provide information about you as part of the work we undertake, for example where you are or may be:

- a beneficiary of an estate or trust;
- appointed by them in some representative capacity, such as executor; or
- a party in or a witness to a dispute.

- From people connected to recruitment

- Recruitment consultants who may provide information about you to us in relation to a potential job at Carltons Solicitors Limited;
- Employers who may provide a reference about you to us.

- From regulatory bodies

- Regulatory bodies when making regulatory enquiries;
- The police when making enquiries into potential criminal offences.

- From introducers and referrers

- Professional advisers who may refer your matter to us;
- Any other introducer of a matter to us.

11. We may supplement the personal data collected about you with information from publicly available sources, such as information to validate your identity or address, or to perform a credit check.

12. The information that we receive about you from others includes contact details, biographical, behavioural, fraud and billing information.

13. The information that we receive about you from others can include both personal and special category data. Special categories of personal data are personal data about an individual's:

- (a) race;
- (b) ethnic origin;
- (c) politics;
- (d) religion;
- (e) trade union membership;
- (f) genetics;
- (g) biometrics (when used for ID purposes);
- (h) health;
- (i) sex;

(j) sexual orientation.

14. Criminal convictions or offences must be treated in the same way as special category data.
15. Data about children will be handled carefully as they require particular protection.

### *Information we collect about you*

16. We may automatically collect information about you that we may observe, detect or create without directly asking you to provide the information to us. In common with most other businesses, this will mainly include information gathered automatically through your use of our website. Please see our website privacy policy for further details.

### *Mandatory information*

17. If you are a client, please note that your provision of documents for identity verification purposes is necessary for us to comply with our legal and statutory obligations. Failure to provide these documents will result in our being unable to undertake identity verification as required by the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 and, subsequently, we will not be able to act for you or the organisation instructing us, as applicable.

### **Type of personal data we process about you**

18. As a legal practice dealing with cases and matters, we may process a range of personal data about you. To make it easier to understand the information that we use about you, we have divided this information into categories in the table below and provided a short explanation of the type of information each category covers (please note that not all categories may be applicable to you):

<b>Category</b>	<b>Personal data included in this category</b>
Banking/billing	Information used to send/receive funds to/from you or that appears on your bills
Behavioural	Your activities, actions and behaviours
Biographical	Your life experiences and circumstances
Cardholder	Your payment card details
Contact	Information that can be used to address, send or otherwise communicate a message to you (i.e. email address, postal address, employer name and job title)

Correspondence	Information contained in our correspondence or other communications with you or about you, about our products, services or business
Employment	Your previous, current or future employment details
Geo-location	Information that contains or reveals the location of your electronic device
Identification	Information contained in a formal identification document or social security or other unique reference relating to you
Insurance	Your insurance applications and any information relating to your insurance claim
Legal	Information relating to legal claims made by you or against you or the claims process
Monitoring	We may record phone calls and retain transcripts of dialogue (i.e. livechat conversations) either for our records or for training purposes. If you visit one of our offices your image may be recorded on CCTV for security purposes
Special categories of personal data	Your racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, any personal data that relates to your health, sex life, sexual orientation or criminal offences or records or any genetic or biometric data about you

## How and why we use your personal data

19. We may use the information we collect about you in the following ways:

### *Where it is necessary for us to perform a CONTRACT with you*

20. We may use and process your personal data where we have supplied you (or continue to supply you) with any legal services, where we have arranged for the supply of another firm's services to you, or where you are in discussions with us about a particular matter on which you are considering taking advice.
21. We will use your information in connection with the contract for the provision of services when it is necessary to carry out that contract or for you to enter into it.
22. We may also use and process your personal data in connection with our recruitment activities, if you apply for a position with us (whether directly or through a third party) or send your details to us on a speculative basis.

### *Where we have a LEGITIMATE INTEREST*

23. We may use and process your personal data where it is necessary for us to pursue our legitimate interests as a business for the following purposes:
  - to carry out our conflict checks so we are able to provide services to you;
  - to enter into and perform the contract we have with you or your business;
  - to assess and improve our service to clients or our clients' customers (where applicable) through recordings of any calls and live chat sessions;
  - for the prevention of fraud and other criminal activities;

- to verify the accuracy of the data that we hold about you and to create a better understanding of you as a client and our clients' customers (where applicable);
- to create a profile of you based on any preferences you have indicated to enable us to decide what products and services to offer to you for marketing purposes;
- to undertake analysis to inform our business and marketing strategy;
- to manage and deliver internal projects for business improvement;
- for network and information security purposes to enable us to take steps to protect your personal data against loss or damage, theft or unauthorised access;
- to comply with a request from you in connection with the exercise of your rights (for example, where you have asked us not to contact you for marketing purposes, we will keep a record of this on our suppression lists in order to be able to comply with your request);
- to assist in the management of queries, complaints or claims;
- to notify you or your business of changes in the law that might affect you or your business; and
- for the establishment, exercise or defence of our legal rights.

### *Where you have provided CONSENT*

24. Please note that your information may be used to send you details of our products or services that we have identified as likely to be of interest to you, based on the preferences you have indicated to us.
25. We will seek separate and specific consent from you in circumstances where we wish to feature your identity in a published case study, press release, advertisement or testimonial or wish to include your image in a photograph or video in connection with public relations or promotional activities.
26. You have the right to withdraw your consent at any time. Please see 'Withdrawing your consent' for further details.

### *Where required by LAW*

27. Where you engage us to provide legal services to you, we will process your personal data and the personal data of third parties in order to comply with our legal obligations, for example under the Civil Procedure Rules or the Family Procedure Rules. We also have a legal obligation to comply with the SRA's Standards and Regulations.
28. It is also a legal requirement for you to provide us with information to verify your identity in connection with anti-money laundering and criminal financing legislation.

We will use that information for the purpose of complying with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (or such other legislation that may replace or supersede these Regulations from time to time) unless we have obtained your consent to use it for any other purpose.

29. We may also use and process your personal data in order to comply with other legal obligations to which we are subject, as follows:
- to maintain a register of corporate gifts and hospitality to comply with anti-bribery laws;
  - to maintain a record of undertakings where you are either a beneficiary of an undertaking or the person obliged to perform it;
  - to maintain a record of undertakings where Carltons Solicitors Limited is the giver or receiver of an undertaking; and
  - to comply with our other legal and regulatory obligations, e.g. undertaking conflict checks.

### *In the VITAL INTERESTS of the individual*

30. From time to time when representing individuals who may be troubled, in danger, very young or otherwise unable to exercise due care for their own safety, we may in extreme circumstances use information about you or a person connected with you in order to take action to protect you or them.

### *Special categories of personal data*

31. We may have to process sensitive personal data (known as 'special categories of personal data') about you or others associated with you, for example your family. We will only use this kind of information where:
- we have your explicit consent;
  - it is necessary for us to use this information to protect your vital interests or those of another person where it is not possible to obtain consent;
  - it is necessary to do so in connection with the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity; or
  - in exceptional circumstances, another ground for processing special categories of personal data is met.
32. Where you have provided us with explicit consent to use special categories of personal data about you, you may withdraw your consent for us to process this data at any time. Please see 'Withdrawing your consent' for further details.

33. Please note that if you withdraw your consent for us to process special categories of personal data about you, this may impact our ability to provide legal or support services to you.

## **Others who may receive or have access to your personal data**

### *Our suppliers and service providers*

34. Our work for you, or a client, may require us to provide information to third parties who will use your information for the purposes of providing services to us or directly to you on our behalf. Such third parties may include insurers, for example.

### *Others involved in your case or matter*

35. Our work for you, or a client, may require us to provide information to third parties such as law firms, accountants, counsel, expert witnesses, medical professionals and other professional advisers, who will use your information in connection with the matter. They may provide their own services directly to you.
36. Where we are engaged by a third party, such as a bank or lender in connection with your contract with them, we may share information with that third party about the progress of the case.
37. Any third party to whom we disclose information about you will be under an obligation to keep your information secure and not to use it for any purpose other than that for which it was disclosed unless you agree with them otherwise.

### *Other ways in which we may share your personal data*

38. We may transfer your personal data to a third party as part of a sale of some or all of our business and assets to any third party or as part of any business restructuring or reorganisation. We may also transfer your personal data if we are under a duty to disclose or share it to comply with any legal obligation, to detect or report a crime, to protect your vital interests, to enforce or apply the terms of our contracts or to protect the rights, property or safety of our visitors and clients. However, we will ensure that your privacy rights continue to be protected.

## **Where we store your personal data**

39. All information you provide to us for our use is stored on our secure servers, which are located within the UK and the European Economic Area (EEA).
40. The third parties who may receive and have access to your personal data may be located outside the EEA or they may transfer your data outside the EEA. Those countries may not have the same standards of data protection and privacy laws as in



the UK, which means additional safeguards must be put in place. Whenever we transfer your data outside the EEA, we impose contractual obligations on the recipients of that data to protect your personal data to the standard required in the UK. We may also require the recipient to subscribe to ‘international frameworks’ intended to enable secure data sharing. Any third parties transferring your data outside the EEA must also have in place appropriate safeguards as required under data protection law.

## How long we will keep your personal data for

41. If we collect your personal data, the length of time for which we retain it is determined by a number of factors including the type of data, the purpose for which we use that data and our regulatory and legal obligations attached to its use. We do not retain personal data in an identifiable format for longer than is necessary.
42. We maintain internally a full schedule of types of data and the specified period of time we will retain this for.
43. Typically, the retention criteria are as follows for the following data types:

Data category/ document	Retention period/criteria
Client/customer data	Retention in case of queries or claims. We will retain client files for a minimum of six years. Retention of data about potential instructions. We will keep this data for a period of six years, depending on the type of transaction. Retention in accordance with legal and regulatory requirements. We will consider whether we must retain your personal data after the period described above in case of a legal or regulatory requirement.
Recruitment data	We will retain your application data for up to 12 months following receipt of your application.

44. The only exceptions to this are where:
  - the law requires us to hold your personal data for a longer period or to delete it sooner;
  - you exercise your right to have the data erased (where it applies) and it is not necessary for our firm to hold it in connection with any of the reasons permitted or required under the law (see ‘Erasing your personal data or restricting its processing’); or
  - in limited cases, the law permits us to keep your personal data indefinitely provided we have certain protections in place.

## Your rights

45. You have various rights in relation to your personal data under data protection legislation. In relation to certain rights, we may ask you for information to confirm your identity and, where applicable, to help us to search for your personal data. Except in

rare cases, we will respond to you within 30 days from either (i) the date that we have confirmed your identity; or (ii) where we do not need to do this because we already have this information, from the date we received your request.

### *Accessing your personal data*

46. You have the right to ask for a copy of the data that we hold about you by emailing or writing to us at the address at the end of this policy. We may not provide you with a copy of your personal data in certain circumstances, but we will explain why we are unable to provide the data.

### *Correcting and updating your personal data*

47. The accuracy of your data is important to us.
48. If you change your name or address/email address, or you discover that any of the other data we hold is inaccurate or out of date, please contact us using the details at the end of this policy.

### *Withdrawing your consent*

49. Where we rely on your consent as the legal basis for processing your personal data, as set out under 'How we use your personal data', you may withdraw your consent at any time by emailing Carltons Solicitors Limited (please use 'Withdrawal of consent' as the subject heading of your email).
50. If you withdraw your consent, our use of your personal data before you withdraw your consent is still lawful.

### *Objecting to our use of your personal data and automated decisions made about you*

51. Where we rely on our legitimate interests as the legal basis for processing your personal data for any purpose(s), as set out under 'How we use your personal data', you may object to our using your personal data for these purposes by emailing or writing to us at the address at the end of this policy. Except for the purposes for which we are satisfied we can continue to process your personal data, we will temporarily stop processing your personal data in line with your objection until we have investigated the matter. If we agree that your objection is justified in accordance with your rights under data protection legislation, we will permanently stop processing your data for those purposes. Otherwise, we will provide you with our justification as to why we have to continue processing your data.
52. You may also contest a decision made about you based on automated decision making by emailing or writing to us at the address at the end of this policy.

### *Erasing your personal data or restricting its processing*

53. In certain circumstances, you may ask for your personal data to be removed from our systems by emailing or writing to us at the address at the end of this policy. Provided we do not have any continuing lawful basis to continue processing or holding your personal data, we will make reasonable efforts to comply with your request.
54. You may also ask us to restrict processing your personal data where you believe our processing is unlawful, you contest its accuracy, you have objected to its use and our investigation is pending, or you require us to keep it in connection with legal proceedings. We may only process your personal data while its processing is restricted if we have your consent or are legally permitted to do so, for example for storage purposes, to protect the rights of another individual or company or in connection with legal proceedings.

### *Transferring your personal data in a structured data file*

55. Where we rely on your consent as the legal basis for processing your personal data or have to process it in connection with your contract, as set out under 'How we use your personal data', you may ask us to provide you with a copy of that data in a structured data file. We will provide this to you electronically in a structured, commonly used, and machine-readable form, such as a CSV file.
56. You can ask us to send your personal data directly to another service provider, and we will do so if this is technically possible. We may not provide you with a copy of your personal data in certain circumstances, but we will explain why we are unable to provide the data.

### *Complaining to the UK data protection regulator*

57. You have the right to complain to the Information Commissioner's Office (ICO) if you are concerned about the way we have processed your personal data. Please visit the ICO's website ([ico.org.uk](https://ico.org.uk)) for further details.

## **Security and links to other sites**

### *Security measures we put in place to protect your personal data*

58. The transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our website, and any transmission is at your own risk. Once we have received your personal data, we have in place reasonable and appropriate controls to ensure that it remains secure against accidental or unlawful destruction, loss, alteration or unauthorised access.

59. Where we have given you (or where you have chosen) a password that enables you to access any of our online or electronic resources, you are responsible for keeping this password confidential. We advise you not to share your password with anyone.

### *Links to other websites*

60. Our website may contain links to other websites run by other organisations. Please see our website privacy policy. This policy does not apply to those other websites, so you should read their privacy statements. We are not responsible for the privacy policies and practices of other websites even if you access them using links that we provide, and their security cannot be guaranteed.
61. If you linked to our website from a third-party website, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party website and recommend that you check the policy of that third party website.

## **Cookies**

### *Use of cookies*

62. Like many other websites, our website uses cookies (including Google Analytics cookies to obtain an overall view of visitor habits and visitor volumes to our website). Cookies are small pieces of information sent to your computer and stored on its hard drive to allow our website to recognise you when you visit.
63. It is possible to switch off cookies by setting your browser preferences. For more information on how we use cookies and how to switch them off, please see our cookies policy.

## **Marketing and other communications**

64. You will only receive communications from Carltons Solicitors Limited (including information about our services).
65. We do not rely on your consent to receive communications indefinitely.
66. If you are a client or contact of Carltons Solicitors Limited, we may contact you personally to notify you of changes in the law that might affect you or your business, or specific events/information that may benefit you or your business.
67. We will never share your information with third party partners for their own marketing uses, although we may use service providers to assist us with our own marketing.
68. If you would like to change your preferences at any point, or wish to withdraw your consent, please email Carltons Solicitors Limited, subject withdrawing consent.

## Contact us

- 69 The person responsible for data protection at Carltons Solicitors Limited is Raj Padhiar. Please direct any queries about this policy or about the way we process your personal data to him at the contact details below.
70. Please write to Raj Padhiar at Carltons Solicitors Limited, 503 Coventry Road, Birmingham, B10 0LL. Our email address for data protection queries is [info@carltons-solicitors.com](mailto:info@carltons-solicitors.com). If you would prefer to speak to us by phone, please call 0121 766 7447.