



HTF Legal

PRIVACY POLICY

When undertaking certain types of work, it is inevitable that we will require particular information from you. 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.

There are two types of personal data (personal information) that you may provide to us:

- Personal data: is the general information that you supply about yourself – such as your name, address, gender, date of birth, contact details, financial information etc.
- Sensitive personal data: is, by its nature, more sensitive information and may include your racial or ethnic origin, religion, sexual orientation, political opinions, health data, trade union membership, philosophical views, biometric and genetic data.

In the majority of cases personal data will be restricted to basic information and information needed to complete ID checks. However some of the work we do may require us to ask for more sensitive information.

Any questions regarding this notice and our privacy practices should be sent by email to enquiries@htf-legal.co.uk

Sources of information

Information about you may be obtained from a number of sources, including the below:

- You may volunteer the information about yourself
- You may provide information relating to someone else – if you have the authority to do so
- Information may be passed to us by third parties in order that we can undertake your legal work on your behalf. Typically these organisations can be:
 - Banks or building societies
 - Panel providers who allocate legal work to law firms
 - Organisations that have referred work to us
 - Medical or financial institutions – who provide your personal records / information

Why we may need this information

The primary reason for asking you to provide us with your personal data, is to allow us to carry out your requests – which will ordinarily be to represent you and carry out your legal work.

Below are some common examples of what we may use your information for:

- Verifying your identity and bankruptcy checks;
- Verifying source of funds;
- Communicating with you;
- Obtaining insurance policies on your behalf;
- Processing your legal transaction including matters such as:
 - Providing you with advice; carrying out litigation on your behalf; attending hearings on your behalf; preparing documents or to complete transactions
 - Keeping financial records of your transactions and the transactions we make on your behalf
 - Seeking advice from third parties; such as legal and non-legal experts
 - Responding to any complaint or allegation of negligence against us

Who has access to your information

We have a data protection regime in place to oversee the effective and secure processing of your personal data. We will not sell or rent your information to third parties. We will not share your information with third parties for marketing purposes.

Generally, we will only use your information within HTF legal Limited. However there may be circumstances when carrying out your instructions, where we may need to disclose some information to third parties, such as the below:-

- HM Land Registry to register a property
- HM Revenue & Customs; e.g. for Inheritance tax payments
- Courts or Tribunals
- Solicitors acting on the other side of your matter
- Asking an independent Barrister or Counsel for advice; or to represent you
- Non legal experts to obtain advice or assistance
- Contracted Suppliers
- External auditors or our Regulator; e.g. STEP, SRA, ICO etc.
- Banks or Building Societies; or other financial institutions
- Insurance Companies
- Providers of identity verification
- Any disclosure required by law or regulation; such as the prevention of financial crime and terrorism
- If there is an emergency and we think you or others are at risk

In the event any of your information is shared with the aforementioned third parties, we ensure that they comply, strictly and confidentially, with our instructions and they do not use your personal information for their own purposes unless you have explicitly consented to them doing so.

There may be some uses of personal data that may require your specific consent. If this is the case we will contact you separately to ask for your consent which you are free to withdraw at any time.

How do we protect your personal data

We have exceptional standards of technology and operational security in order to protect personally identifiable data from loss, misuse, alteration or destruction. We use computer safeguards such as firewalls and data encryption and annual penetration testing; and we enforce, where possible, physical access controls to our buildings and files to keep data safe.

How long do we keep information

Your personal information will be retained, usually in computer or manual files, only for as long as necessary to fulfil the purposes for which the information was collected; or as required by law; or as long as is set out in any relevant contract you may hold with us. For example:

- As long as necessary to carry out your legal work
- For a minimum of 7 years from the conclusion or closure of your legal work; in case you, or we, need to re-open your case for the purpose of defending complaints or claims against us;
- For the duration of a trust, if it is in place;
- Probate matters where there is a surviving spouse or civil partner may be retained until the survivor has died in order to deal with the transferable Inheritance Tax allowance
- Wills and related documents may be kept indefinitely
- Deeds related to unregistered property may be kept indefinitely as they evidence ownership
- Personal injury matters which involve lifetime awards or PI Trusts may be kept indefinitely

What are your legal rights?

Under the rules of GDPR, you are entitled to access your personal data (otherwise known as a 'right to access'). If you wish to make a request, please do so in writing addressed to our Data Protection Officer Helen Forster on helen.forster@htf-legal.co.uk or by telephone on 01937 547061; or contact the person dealing with your matter.

A request for access to your personal data means you are entitled to a copy of the data we hold on you – such as your name, address, contact details, date of birth, information regarding your health etc.- but it does not mean you are entitled to the documents that contain this data.

Under certain circumstances, in addition to the entitlement to 'access your data', you have the following rights:

The right to be informed: which is fulfilled by way of this privacy notice and our transparent explanation as to how we use your personal data;

The right to rectification: you are entitled to have personal data rectified if it is inaccurate or incomplete

The right to erasure / 'right to be forgotten': you have the right to request the deletion or removal of your personal data where there is no compelling reason for its continued processing. This right only applies in the following specific circumstances:

- Where the personal data is no longer necessary in regards to the purpose for which it was originally collected
- Where consent is relied upon as the lawful basis for holding your data and you withdraw your consent
- Where you object to the processing and there is no overriding legitimate interest for continuing the processing
- The personal data was unlawfully processed
- Where you object to the processing for direct marketing purposes

The right to object: you have the right to object to processing based on legitimate interests; and direct marketing. This right only applies in the following circumstances:

- An objection to stop processing personal data for direct marketing purposes is absolute – there are no exemptions or grounds to refuse – we must stop processing in this context
- You must have an objection on grounds relating to your particular situation

We must stop processing your personal data unless:

- We can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms; or
- The processing is for the establishment, exercise or defence of legal claims.

The right to restrict processing: you have the right to request the restriction or suppression of your data. When processing is restricted, we can store the data but not use it. This right only applies in the following circumstances:

- Where you contest the accuracy of the personal data – we should restrict the processing until we have verified the accuracy of that data
- Where you object to the processing (where it was necessary for the performance of a public interest or purpose of legitimate interests), and we are considering whether our organisation's legitimate grounds override your right
- Where processing is unlawful and you request restriction
- If we no longer need the personal data but you require the data to establish, exercise or defend a legal claim

Complaints about the use of personal data

If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate further. Our Data Protection Officer is Helen Forster, helen.forster@htf-legal.co.uk telephone 01937 547061.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner's Office (ICO).

Marketing data

We may contact you for the purpose of direct marketing. This means that we may use your personal data that we have collected in accordance with this privacy policy to contact you about our products or services, events etc. which we feel may interest you. The direct marketing communications may be provided to you by social media channels, email or post. We will never send marketing communications via SMS or call you without your specific consent; nor do we ever pass on or sell your details to a third party.

How we may collect personal data

Below are some examples of how we may collect personal data from you:-

- You may sign-up to receive one of our newsletters
- You may submit an online enquiry
- Following/liking/subscribing to our social media channels
- Taking part in one of the competitions or promotions we run on the website or on our social media channels
- If you complete a questionnaire or survey on our website
- If you ask us a question or submit any queries or concerns you have via email or on social media channels
- By you posting information to our website or social media channels, for example when we offer the option for you to comment on, or join, discussions
- When you leave a review about us on Google Reviews

Whenever we collect your personal data, you will be provided the opportunity to 'opt in' to receiving marketing communications from us. We hope you will provide this information so you find our communications useful but if you choose not to this will have no effect on accessing our legal services.

Any contacts who have not engaged by opening an email over a period of 6 months will be removed from marketing communications.

How we may use your details

Below are some examples of how we may use your personal information for our legitimate business interests:

- fraud prevention
- direct marketing
- network and information systems security
- data /analytics /enhancing, modifying or improving our services
- identifying usage trends
- determining the effectiveness of promotional campaigns and advertising.

We may use your personal information for legitimate interests such as direct marketing or under reasonable expectation to provide you with information you would expect to receive or that would benefit and enhance our relationship. This information will help us review and improve our products, services and offers.

Your rights

You have the right to object to this processing. Should you wish to do so please email us on enquiries@htf-legal.co.uk