

Forbes LLP Privacy Notice (Clients)

Forbes Solicitors LLP (“we”, “us” and “our”) are committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you as a client and also applies to your staff and other representatives which in this notice will be included within references to you. This privacy notice outlines how we intend to comply with the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018.

Forbes Solicitors LLP is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained within this privacy notice.

In accordance with the UK GDPR we will seek to ensure that the personal information we hold about you is:

1. Used lawfully, fairly and in a transparent way;
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with these purposes;
3. Relevant to the purpose we have told you about and limited only to those purposes;
4. Accurate and kept up to date;
5. Kept only as long as necessary for the purposes we have told you about;
6. Kept securely

What information do we collect about you?

In connection with our provision of services in connection with your instructions, we will collect, store and use the following categories of personal information about you:

- Personal information, including name, title, address, telephone number, personal email address, date of birth, gender;
- Details of your employment history and qualifications;
- Any information you provide to us during any interview;

- Information to verify your identity such as passport or utility bills;
- Financial information;
- Information relating to your legal history and previous transactions or proceedings in which you have been involved;
- The circumstances in relation to which you require our advice.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences;
- Facial biometric data.

How will we use the information?

We use this information to:

- Identify and communicate with you;
- Carry out “know your client” checks, where applicable;
- Analyse your legal position;
- Manage the delivery of services to you including where applicable the commencement and continuation of legal proceedings;
- Keep records relating to our provision of services;
- Assist in the running of our business;
- Comply with legal or regulatory requirements, including reporting of information to regulatory bodies;
- Provide information about services we can provide.

How do we use particularly sensitive information?

We will use your particularly sensitive personal information in the following ways.

- to consider whether we need to provide appropriate adjustments during the provision of services to you;

- to ensure meaningful equal opportunity monitoring and reporting;
- to analyse your legal position;
- to manage the delivery of services to you;
- to assist us with identifying clients and complying with our money laundering obligations.

How do we use information about criminal convictions?

We envisage that we will in some cases process information about criminal convictions in connection with providing services to you.

We have in place appropriate safeguards which we are required by law to maintain when processing such data.

Why do we need this information?

The legal bases we rely on for processing your personal information are one or more of the following:

- Consent has been obtained;
- Processing is necessary for the performance of a contract with you or steps preparatory to such a contract;
- Processing is necessary for compliance with a legal obligation; or
- Processing is necessary for our legitimate interests.

For special category personal information where:

- You have given explicit consent;
- Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- Processing is necessary for reasons of substantial public interest.

If you fail to provide information when requested, which is necessary for us to undertake compliance activities or provide services, we may have to cease our provision of services.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with one of the purposes

listed above. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so or seek your consent.

Sharing your information

We will not ordinarily share your information with anyone else. However, there are certain circumstances where we will be required to share your information with organisations as part of the legal service provided to you of our professional compliance. We will comply with the data protection legislation when making this disclosure.

Where it is required or necessary we may share information with:

- Our regulator and professional bodies;
- Suppliers and service providers;
- Auditors;
- Insurers;
- Barristers;
- Expert witnesses;
- Police forces and/or Crown Prosecution Service or other prosecuting authorities;
- Courts and Tribunals;
- Official registries;
- Other parties to transactions or proceedings.

Automated Decision Making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so, we have notified you and put appropriate measures in place to safeguard your rights.

We do not envisage that any decisions will be taken about you using automated means. However, we will notify you if this position changes.

Data Security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and the Information Commissioner's Office of a suspected breach where we are legally required to do so.

Transferring information outside of the UK and EEA

In general, the personal information that we collect is stored within the UK and European Economic Area (EEA). However, there may be some circumstances where it is necessary to transfer and store personal information at a destination outside the UK or the EEA. In these circumstances, we will take all steps reasonably necessary to ensure that personal information is treated securely and in accordance with the data protection legislation and, in the event that personal information is transferred outside the UK or the EEA, shall ensure that this is carried out subject to the requirements of the UK GDPR.

How long do we keep information about you?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

We have policies as part of our ISO and equivalent documentation to specify retention periods for data in different kinds of work. After this period, we will securely destroy your personal information in accordance with our applicable policy.

Your personal information may be held in our records for longer where you are receiving marketing information from us in which case we will retain information about you that purpose until you inform us of any change of mind.

How can you access & control your personal data?

You can find out if we hold any personal information about you by making a 'subject access request' under the UK GDPR. If we do hold information about you, we will:

- Give you a description of it;
- Tell you why we are holding;
- Tell you who it has been disclosed to; and
- Let you have a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

You can request access to the information we hold about you at any time by contacting us (please see contact details section below). Please mark your request for the attention of our Data Protection Officer.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

Your rights

If you believe that any of the personal information we hold about you is incorrect, you have the right to ask us to rectify that information at any time.

You may also have the right, in certain circumstances, to request that we delete your personal information, to block any further processing of your personal information or to object to the processing of your personal information. There are some specific circumstances where these rights do not apply and we can refuse to deal with your request.

If we are processing your personal information based upon your consent (e.g. as part of our marketing or promotional activities), you have the right to withdraw your consent at any time.

If you require any further information about your right to rectification, erasure, restriction of or object to processing or you wish to withdraw your consent please contact us (please see contact details section below).

Complaints

We take any complaints we receive about the collection and use of personal information very seriously. We would encourage you to bring it to our attention if you think that our collection or use of information is unfair, misleading or inappropriate. You can make a complaint at any time by contacting us (see contact details section below).

If you think our collection or use of personal information is unfair, misleading or inappropriate or if you have concerns about the security of your personal information, you also have the right to make a complaint to the Information Commissioner's Office. You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contacting us

If you have any queries about the processing of your data, our Data Protection Officer is Daniel Milnes and he can be contacted by email on DataProtectionOfficer@forbessolicitors.co.uk.