

## **Legal And Regulatory Information**

Armstrong Solicitors (“Armstrongs”, “we”, “us”, “our” and “ours”) is the trading name of Armstrong Law Limited, a Private Limited Company incorporated in England and Wales under registered number 07137158 whose registered office is at Tintagel House, 92 Albert Embankment, London SE1 7TY, VAT registration number 990510422.

In accordance with the disclosure requirements of the Services Regulations 2009, our professional indemnity insurer is Caitlin Underwriting Agencies LTD on behalf of China Re Syndicate 2088

## **Privacy Notice**

Armstrong Solicitors is committed to protecting the privacy and security of your personal information.

This Privacy Notice outlines how Armstrong Solicitors collect and uses personal information about you during and after your relationship with us in accordance with the General Data Protection Regulation (“GDPR”), the Data Protection Act 2018 and any other national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK Data Protection Legislation.

This includes whether you become a client of Armstrong Solicitors or contact us to make an enquiry. It gives details of how and what occurs if we collect personal information through these interactions.

Please read this notice together with any other information we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

Please note this Notice does not form part of any contact to provide services you may have with us from time to time.

We reserve the right to amend this notice at any time without notice so, if required, please check to ensure that you are referring to the latest copy of the Notice. We may also notify from time to time about the processing of your personal data.

This notice was last updated on 11 October 2019.

## **About Us**

For the purpose of the Data Protection Legislation and this notice Armstrong Solicitors is a “data controller” for the purposes of GDPR. This means that we are responsible for deciding how we hold and use personal information about you. We are required under the Data Protection Legislation to notify you of the information contained in this privacy notice.

If you have any questions about this Notice or how we handle your personal information, please contact the Privacy Officer, Nicola Babb at the above address or email, nicolababb@armstrongsol.com.

You have the ultimate right to make a complaint to the ICO ([www.ico.org.uk](http://www.ico.org.uk)). However please contact us if you have any concerns in the first instance.

### **How we will use information about you**

We will only use your personal information when the law allows us to. Most commonly we will use your personal information in the following circumstances:-

1. You request a proposal from us in respect of services we provide,
2. You instruct us to provide our services and also during the provision of those services,
3. You contact us by email, telephone, or post and have a query about our services,
4. Where we need to comply with a legal obligation,
5. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations which are rare:

1. Where we need to protect your interests or someone else's interests,
2. Where it is needed for official purposes.

Generally, we do not rely on consent as a legal basis for processing your personal data and we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law. If it becomes necessary to obtain your consent, we will provide you with full details of the information that we wish to obtain and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of any contract with us that you agree to any request for consent from us and you will be able to withdraw your consent at any time.

### **The Kind Of Information We Hold About You**

The information we hold about you may include the following:

1. Your personal details (such as your name and address),
2. Details of contact we have had with you in relation to the provision, or the proposed provision of your services,
3. Details of any services you have received from us,

4. Our correspondence and communications with you,
5. Information about any complaints and enquires you make to us,
6. Information from research, surveys and marketing activities,
7. Information we receive from other sources.

### **How We Use Personal Data We Hold About You**

We may process your personal data for the purposes necessary for the performance of our contract with you or our clients and to comply with our legal obligations.

We may process your personal data for the purposes necessary for the performance of our contract with our clients. This may include processing your personal data where you are an employee, subcontractor, supplier or customer of our client.

We may process your personal data for the purposes of our own legitimate interests provided that those interests do not override any of your own interests, rights and freedoms which require the protection of personal data. This includes processing for marketing, business development, statistical and management purposes.

We may process your personal data for certain additional purposes with your consent, and in these limited circumstances where your consent is required for the processing of your personal data when you have the right to withdraw your consent to processing for such purposes.

Please note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data.

### **Situations In Which We Will Use Your Personal Data**

We may use your personal data in order to:

1. Carry out our obligations arising from any agreements entered into between you or our clients and us which will most usually be for the provision of our services,
2. Carry out our obligations arising from any agreements entered into between our clients and us (which will most usually be for the provision of our services) where you may be a subcontractor, supplier or customer of our client,
3. Provide you with information related to our services and our events and activities that you request from us or which we feel may interest you,
4. Seek your thoughts and opinions on the services we provide and notify you about any changes to our services.

In some circumstances we may anonymise the personal data so that it can no longer be associated with you, in which case we may use it without further notice to you.

If you refuse to provide us with certain information when requested, we may not be able to perform the contract we have entered into with you. Alternatively, we may be unable to comply with our legal or regulatory obligations.

We may also process your personal data without your knowledge or consent, in accordance with this notice, where we are legally required or permitted to do so.

### **Visitors To Our Websites**

Our website does not use cookies. We will only collect personal data through the contact form on our website.

Any data that you submit using the form on our website or via email will only be held by us for the purpose for which it is needed and for the shortest amount of time required.

### **Enquiries**

If you make an enquiry that we are unable to assist you with, **your details will be deleted**. If your enquiry results in you becoming a client of the firm, then your data will be stored as part of your client record and kept in accordance with the requirements relating to client records. You will be advised separately in relation to this on entering a retainer.

Your data will not be disclosed to any third parties without your consent or as otherwise allowed by the relevant data protection legislation and will only be used for responding to your query.

### **People Who Make A Complaint To Us**

When we receive a complaint from a person we create a file which will contain the details of the person complaining and other relevant details relating to the complaint. We only use this information for the purposes of investigation and responding to the complaint.

We do compile and review statistics showing information about the number of complaints we receive but aside from reports that are provided to our regulators, the Legal Aid agency or other auditors engaged in quality control of our business, none of these reports are published externally and, if they were, would not include information that would enable any individual to be identified.

We will keep personal information contained in complaint in line with our retention policy for client files. This means that information relating to a complaint will be retained for no longer than six years from closure within our case management system.

## **Job Applicants, Current and Former Employees**

If you apply for a job with Armstrong Solicitors, information you provide will only be used for the purpose of processing your application. We will use contact details you provide to us to contact you to progress your application. We will use the other information you provide to assess your suitability for the role you have applied for.

### Application Stage

We will ask you for your personal details including name and contact details. We will also ask you about your previous experience, education referees and may also ask you for answers to questions relevant to the role you have applied for. All three Directors will have access to all of this information.

You will also be asked to provide equal opportunities information. This is not mandatory information and if you do not provide it, it will not affect your application. This information will not be made available to anyone except the three Directors. Any information you do provide will be used only to produce and monitor equal opportunities statistics.

### Offer of Employment

If Armstrong Solicitors makes an offer of employment we may ask you for the information so that we can carry out pre employment checks. You must successfully complete pre employment checks before you will be able to commence work with us. We ask for this information as we are required to confirm the identity of our staff, their right to work in the United Kingdom and seek assurance as to their integrity.

You will therefore be required to provide:

1. Proof of your identity: You will be required to provide original documents. We will take copies.
2. Proof of your qualifications: You will be required to provide original documents. We will take copies.
3. We may contact your referees, using the details you provide in your application, directly to obtain references.
4. Assuming that you are able to commence employment with us, will also ask you for the following:
  - a) Bank details and other information to process salary payments and enrol you for your pension entitlements.
  - (b) Emergency contact details in case you have an emergency at work.

## Your Human Resources File

If you are employed by Armstrong Solicitors or are a Consultant providing services through Armstrong Solicitors, your personnel records will be held on our case system. Only the three Directors will have access to the Human Resources files.

If you are successful, the information you provide during the application process will be retained by us as part of your employee file for the duration of your employment plus 6 years following the end of your employment.

If you are unsuccessful at any stage of the process, the information you have provided will be deleted from our systems within 12 months.

## **Data Retention**

Armstrong Solicitors will only retain your personal data for as long as is necessary to fulfil the purposes for which it is collected.

When assessing what retention period is appropriate for your personal data, we take into consideration:

1. The requirements of our business and the services provided,
2. Any statutory or legal obligations,
3. The purposes for which we originally collected the personal data,
4. The lawful grounds on which we based our processing,
5. The types of personal data we have collected,
6. The amount and categories of your personal data and
7. Whether the purposes of the processing could reasonably be fulfilled by other means.

## **Change Of Purpose**

Where we need to use personal data for another reason, other than for the purpose for which we collected it, we will only use your personal data where that reason is compatible with the original purpose.

Should it be necessary to use your personal data for a new purpose, we will simply notify you and communicate the legal basis which allows us to do so before starting any new processing.

## **Data Sharing / Disclosure Of Personal Information**

We will only disclose personal data to third parties where permitted to do so by law and in the normal course of our business. For example when acting for you in defending a criminal allegation against you, we might share your personal information with the Crown Prosecution Service if it is in your best interests in order to advance your defence, or if you are an employee, we might share your personal information with HMRC in the context of ensuring that your payroll records are correct.

“Third Parties” also includes third party service providers. The following activities are carried out by third party service providers, for example IT and cloud services, payroll and banking services.

If you are a client receiving advice under Legal Aid funding we will have to share your data with the Legal Aid Agency. Similarly as we are audited we will have to share your data with external regulators.

All of our third party service providers are required to take commercially reasonable and appropriate security measures to protect your personal data. We only permit our third party service providers to process your personal data for specified purposes and in accordance with our instructions.

There are times where it will not be realistic to get your express permission in connection with each and every disclosure of this nature. If you have any concerns that any of your data has been incorrectly shared, then this should be raised with us initially with our Privacy Officer.

## **Data Security**

We have in place appropriate security measures to prevent your personal data from being accidentally lost used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to the employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data 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 we will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **Transfers Of Data Outside of The EEA**

We may be required to transfer your personal data outside the EU. The GDPR restricts data transfers to countries outside the EEA in order to ensure that the level of data protection afforded to individuals by the GDPR is not compromised. We transfer personal data originating in one country across borders when we transmit, send, view or access that data in or to a different country.

We may transfer Personal data outside the EEA if one of the following conditions applies:

1. The European Commission has issued a decision confirming that the country to which we transfer the personal data ensures an adequate level of protection for the data subjects' rights and freedoms,
2. Appropriate safeguards are in place such as binding corporate rules (BCR) standard contractual clauses approved by the European Commission, an approved code of conduct or a certification mechanism,
3. You Have provided explicit consent to the proposed transfer after being informed of any potential risks, or
4. The transfer is necessary for one of the other reasons set out in the GDPR including the performance of your contract with us, reasons of public interest to establish exercise or defend legal claims or to protect your vital interests where you are physically or legally incapable of giving consent and, income cases, for our legitimate interest,
5. If you have any questions about the transfer of data outside the EEA, please contact us for further information.

### **Your Rights Of Access, Correction, Erasure, and Restriction**

You have a right to access the personal data we hold about you. You may ask us to rectify or erase the personal data we hold about you or to restrict the processing we carry out. You can also object to the way we are processing your personal data or request that we transfer it to a third party.

It is important that the personal data we hold about you is accurate and current. Should your personal information change, please notify us of any changes of which we need to be made aware by contacting us using the contact details below.

Under certain circumstances, by law you have the right to:

1. Request access to your personal data. This enables you to receive details of the personal data we hold about you and to check that we are processing it lawfully,
2. Request correction of the personal data that we hold about you,
3. Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You have also have the right to ask us to delete or remove your personal data where you have exercised your right of processing (see below),
4. Object to processing your personal data where we are relying on a legitimate interest ( or those of a third party) and there is something about your personal situation which makes you want to object to processing on this basis. You also have the right to object where we are processing your personal information for direct marketing purposes,



5. Request the restriction of processing of your personal data, This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it,
6. Request the transfer of your personal data to you or another data controller if the processing is based on consent, carried out by automated means and this is technically feasible.

For a full list of your rights and how these can be exercised, please visit [www.ico.org/your-data-matters](http://www.ico.org/your-data-matters) for further details.

If you want to exercise any of the above rights, please email the Privacy Officer, Nicola Babb at [nicolababb@armstrongsol.com](mailto:nicolababb@armstrongsol.com)

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 such 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.

If you want to review, verify correct to request erasure of your personal information, object to the processing of data, or request that we transfer a copy of your personal information to another party, please contact Nicola Babb, the Privacy Officer, as above.

### **Right To Withdraw Consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please email the Privacy Officer, Nicola Babb, at [nicolababb@armstrongsol.com](mailto:nicolababb@armstrongsol.com).

Once we have received notification that you have withdrawn your consent, we will no longer process your personal data for the purpose or purposes you originally agreed to unless we have another legitimate basis for doing so in law.