



BREWER WALLACE SOLICITORS (BREWER WALLACE LIMITED) PRIVACY NOTICE

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

Who We Are

Brewer Wallace Limited trading as Brewer Wallace Solicitors collect, use and are responsible for certain personal information about you. When we do so we are regulated under the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (UKGDPR) . We are responsible as 'controller' of that personal information for the purposes of those laws.

The Personal Information We Collect And Use

Information collected by us

In the course of us advising for and/or acting for and/or otherwise dealing with you we may collect personal information from you relating to your:

- Name, address and contact details
- Family and lifestyle
- Education and training
- Health and medical history
- Employment
- Finances, and
- Contractual commitments

In some circumstances, where necessary, you may provide us with more sensitive information concerning matters such as your race; ethnic origin; religious beliefs; trade union membership; sex life; criminal record; and sexual orientation.

Information collected from other sources

We may also obtain personal information from other sources as follows:

- Estate Agents
- Accountants
- Banks and financial organisations such as mortgage advisers/brokers
- ID, Credit Check and Criminal Record Check Providers, and
- Online cost quote and e-conveyancing service and providers
- Any other third party

The type of personal information we collect from other sources will vary depending on the nature of our dealings with you and our legal obligations, but may include the information listed above under the heading “Information collected by us”.

How we use your personal information

We use your personal information to carry out your instructions or otherwise comply with any legal obligations which we may have. This includes advising you and acting on your behalf, and helping to improve the services which we provide. We may from time to time use your information to provide you with details of related services which we think may be of interest to you.

Whether information has to be provided by you, and if so why

Personal information is required from you to enable us to carry out any contract with you.

Who we share your personal information with

We routinely share your personal information with the following third parties:

- Our accountants for the purpose of preparing our VAT Returns and annual accounts. The information provided relates to your personal details only (name and contact details)
- Our IT Services Providers who have access to our electronically stored personal information for the purpose of providing us with IT support services. Sharing this information allows us to minimise the risk of personal information being lost or destroyed
- Our Case Management System Providers who have access to our electronically stored personal information for the purpose of providing us with our cloud based case management system. Sharing this information allows us to further minimise the risk of personal information being lost or destroyed, and efficiently run and maintain the case management system
- Certainty National Will Register who provide us with Will search facilities
- H M Revenue and Customs, our regulator or other authorities if required by applicable law
- ID, Anti-Money Laundering and credit check agencies
- Insurance brokers and insurers for the purposes of any insurance distribution activities required as part of our services to you (see above), or as may be requested from any professional indemnity insurer as part of any claim (or potential claim) by us
- Any document storage provider with whom we have a Data Sharing Agreement, and
- Any third party with whom we have a professionally appropriate confidentiality or non-disclosure agreement, for the purposes of business development or any possible acquisition or merger of our business
- Any other third party, where sharing your personal information is necessary to carry out your instructions and/or our legal obligations

We will not share your personal information with any other third party without your permission.

How long your personal information will be kept

Unless we notify you otherwise, we will retain personal information for a period which we (at our sole discretion) decide is appropriate for legal and professional purposes, up to the following periods:

Clients

Type of Instruction	Expected File Retention Period
Property Sale	7 years from date of completion
Property Purchase and Mortgage	15 years from date of completion
Trusts	7 years after the last action the Trust takes, or 7 years after a relevant minor reaches the age of 18 (whichever is the later)
Wills/ Codicils and Probate	Indefinitely if the file contains the original Will or up to 21 years otherwise
Family, including divorce, separation, custody and contact, injunctions, child protection and Court of Protection	15 years from date file is closed
Business, including company/ partnership formation, insolvency, trademark/copyright/patent	12 years from the date file is closed
Leasehold and tenancy	7 years or length of term plus three years (if longer)
Personal Injury	7-15 years, depending on seriousness of injury and complexity of case (or longer if the matter involves children or complex issues such as lifetime or provisional damages awarded)
Medical Negligence	12 years from date file is closed (or longer if the client is under a disability – in which case 7 years from the date when the disability ends)
Private client non-litigation advice, e.g. employment, pensions, powers of attorney, change of name, debt, personal insolvency, housing disrepair	7 years from the date file is closed

Prospective Clients

7 years from the date on which we last advised or contacted you.

Unsuccessful Job Applicants

12 months from receipt of the information or conclusion of the application process (whichever occurs last)

Employees

6 years from the date on which employment ends.

Suppliers or Consultants

At least 7 years from the date on which the matter file on which we last used your service is closed on our case management system.

Information Contained in Emails

It is our policy to retain emails for a period of up to 6 years from the date on which they were sent by, or received by, us.

Reasons we can collect and use your personal information

We will typically collect and use your personal information for the following purposes:

- for the performance of our contract with you, or to take steps to enter such a contract
- for compliance with legal obligations to which we are subject (including any obligations imposed upon us by our regulator)
- to assist us in monitoring and improving the quality of the services which we provide, and/or
- for the purpose of our legitimate interests or those of a third party, but only if these are not overridden by your interests

Where we collect and use more sensitive personal information, including that related to your race, ethnic origin, religious beliefs, trade union membership, sex life, criminal record and sexual orientation we usually do so for the purpose your instructions or where we are required to do so by law.

Our legitimate interests are that:

- if you are a client of ours we are required to carry out your instructions and act in your best interests (and maintain accurate records of having done so)
- we are able to effectively assess our business needs and confirm the value and quality of our professional work at any given time and
- in all other cases we are required to comply with appropriate laws, regulations and codes of conduct (and maintain accurate records of having done so)

Your Rights

If you are an individual, you have rights under the DPA. Those rights are :

- **The right to be informed and the right of access** – You can request a data subject access request (DSAR) by emailing us with the details of the personal data that you want to access.
- **The right to rectification** - Please contact the person who has been dealing with your matter to rectify any information that we hold. In some cases, we may ask to see proof of this change of data.
- **The right to erase** - To request to erase any data that we hold on you please contact the person who has been dealing with your matter. Please also bear in mind if we are in the middle of a matter this may affect our capability to act for you. If this is the case, we will discuss this with you.

- **The right to restrict processing** - To request a restriction of processing please notify the person dealing with your matter who will contact you to discuss the requirements of your requested restriction. Please bear in mind that some restrictions may prevent us from acting on your behalf. If this is the case, we will discuss this with you.
- **The right to data portability** - To request this please notify us and we will discuss the format you would like your data in when you make a DSAR.
- **The right to object** - If you wish to object to any processing (irrelevant if consent has been provided previously), please contact us and we will discuss your needs with you and action your request. Bear in mind, depending on the extent of the request this may prevent us from acting on your matter.
- **Rights in relation to automated decision making and profiling** – The firm does not conduct any solely automated decision making or profiling.

These rights are absolute, but there are some cases where our legal obligations override data subject rights (for example, keeping data for anti-money laundering purposes or notifying the NCA of any money laundering suspicions without notifying you).

For further information on each of these rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner’s Office (ICO) on individuals’ rights under the DPA and UKGDPR (see contact details below).

If you would like to exercise any of these rights with anybody other than the person you have been dealing with, please email, call or write to us using the Contact details below.

Keeping Your Personal Information Secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

How To Complain

We hope that we can resolve any query or concern you raise about our use of your information.

If you are unhappy about any aspect of how we process your data you the right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or by telephone: 0303 123 1113 (between 9am and 5pm Weekdays).

Changes To This Privacy Notice

This privacy notice was last updated on 25 February 2022.

We may change this privacy notice from time to time.

How To Contact Us

Please contact us if you have any questions about this privacy notice or the information we hold about you by phoning our Compliance Officer for Legal Practice on 01482 228808; writing to him at 2 Parliament Street, Hull, HU1 2AP; or emailing to sg@brewerwallace.co.uk .