

Rose Samuel Odele & Partner's solicitors

Privacy Notice

V 1.5.2018 (GDPR comes into force 25 May 2018)

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1. Purpose

We appreciate the trust you place in us when sharing your personal data. The security of that data is very important to us. In this notice we will explain how we collect, use and protect your personal data.

We will also explain what rights you have with regards to your personal data and how you can exercise those rights and sets the standards that you can expect from us at RSO Solicitors when we request or hold personal information ('personal data') about you; how you can get access to a copy of your personal data; and what you can do if you think the standards are not being met.

The **data controllers** for the personal information we hold are the partners of the firm. RSO Solicitors collects and processes personal data for the exercise of its own functions. Our function is to provide a legal service to our Clients (whether they are privately or publicly funded on their civil matters).

Sometimes RSO uses contact information to ask clients if they would like to complete a client satisfaction survey to measure customer satisfaction with our services and to inform areas for improvement.

2. Who we are

We are a firm of solicitors that are regulated by the Solicitors Regulation Authority (SRA) and our SRA id number is number is 402858. We will determine what data is collected, how this data is going to be used and how this data is protected. Our registered office address is:

252 Kirkdale
Sydenham
London
SE26 4NL
United Kingdom

If you have questions about how we process personal data, or would like to exercise your data subject rights, please email us at info@rsosolicitors.com

3. Companies and websites within scope

There are no other companies within scope unless specifically stated. This policy also covers any additional personal data collected in the following online web applications:

Firm website <https://www.rsosolicitors.com>

This includes personal data that is collected through the telephone, e-mail, letters, faxes, and the website and through any related social media applications.

4. Collection of personal data

We collect personal data from you as an individual.

Examples are listed below

- Your name, date of birth, address, telephone number / e-mail address
- Financial information - on your circumstances for legally funded work (i.e. bank statements - i.e. NI number, bank statements, welfare benefit letters)
- Current or previous legal proceedings info - concerning you and your matter
- Information we provide - that you have requested or that we think may be relevant to your matter
- RSO commercial transactions - sale or purchase of products (i.e. office supplies) with you or the entity that you represent
- To fulfil a contract that we have entered - with you or with the entity that you represent. (In these circumstances it may be your entity, rather than yourself, that has provided us with your personal data).
- Safety / security - operation of our website and underlying business infrastructure (IT servers / e-mail)

- Communication between you and us - i.e. e-mails and letters to you

We know how important it is to protect customers' privacy and to comply with data protection laws. We will safeguard your personal data and will only disclose it where it is lawful to do so, or with your consent.

Technical information

In addition, to ensure that each visitor to any of our websites can use and navigate the site effectively, we collect the following:

- Technical information, including the IP (Internet Protocol) address used to connect your device to the Internet.
- Your login information, browser type and version, time zone setting, browser plug-in types and versions.
- Operating system and platform.
- Information about your visit, including the URL (Uniform Resource Locators) clickstream to, through, and from our site.

Our cookies policy, which can be viewed from the home page of each of our web sites, describes in detail how we use cookies.

5. Lawful basis for the processing of personal data

Why we collect the data?

The firm of RSO solicitors collect and process personal data which you provide on a lawful basis (your personal info, financial info, background history to matter, ongoing correspondence etc) to process (into e-mails, letters out for example) for the purposes of providing you a legal service whether this is privately paid by you or through legal aid (e.g. Divorce, Commercial Property Sale, Probate, Residential Purchase, Housing Possession, Matrimonial, Immigration application etc).

Specifically, we will use this personal data in the following ways:

- In opening your matter on our servers and paper files
- Corresponding with you and third parties (e.g. Estate agents, Companies, Share Brokers, Other Solicitors, Court, Barristers Chambers/Counsel etc) by phone, e-mail, letter, fax and post dealing with the file until the matter closes
- Applications to the Court and other bodies (Banks, Tribunals – Employment, Welfare, Housing Benefits, Other Government departments – HMRC / Home Office, Housing Associations, Local Authorities)
- Applications and correspondence with Solicitors Regulation Authority (SRA) and Law Society
- Processing your application for legal aid to the Legal Aid Agency (LAA)
- Determining with them (LAA) whether you are required to make a contribution towards the costs of this legal aided where (where applicable)

- Aid and to assist the Legal Aid Agency in collecting those contributions, if appropriate;
- In assessing claims from your legal representative(s) for payment from the legal aid fund for the work that they have conducted on your behalf;
- In conducting periodic assurance audits on legal aid files to ensure that decisions have been made correctly and accurately during LAA visits & and inspections from Regulatory bodies; and

When we ask you for personal data

We promise to inform you why we need your personal data and ask only for the personal data we need and not collect information that is irrelevant or excessive.

When we collect your personal data, we have responsibilities, and you have rights and these include:

- That you can withdraw consent at any time, where relevant;
- That you can lodge a complaint with the supervisory authority;
- That we will protect and ensure that no unauthorised person has access to it;
- That your personal data is shared with other organisations only for legitimate purposes;
- That we don't keep it longer than is necessary;
- That we will not make your personal data available for commercial use without your consent; and
- That we will consider your request to correct, stop processing or erase your personal data

What happens if we cannot collect the data we require?

Where we are unable to collect the personal information we require, we would not be able to conduct some of activities above, (i.e. lack of state benefits receipt information which would prevent us from providing legal aid and working on your matters) and will inform you as such.

For legal aid matters - please also note the lawful basis for the Legal Aid Agency collecting and processing your personal data is the result of the powers contained in the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

How long do we keep your information?

This information (via our paper files) will be kept for a maximum six years from the date the information is collected.

Legitimate interest, we apply the following test to determine whether it is appropriate:

- The purpose test – is there a legitimate interest behind the processing?
- Necessity test – is the processing necessary for that purpose?
- Balancing test – is the legitimate interest overridden, or not, by the individual's interests, rights or freedoms?

Who the information may be shared with

We sometimes need to share the personal information we process with other organisations. When this is necessary, we will comply with all aspects of the relevant data protection laws. The organisations we may share your personal information with include:

- ***Public authorities such as:*** HM Courts and Tribunals Service (HMCTS), HM Revenue and Customs (HMRC), Department of Work and Pensions (DWP), HM Land Registry, Home Office, Councils, Local Authorities, Housing Associations etc
- ***Non-public organisations:*** LAA debt collection partners, Rossendales, Companies, Banks, Mortgage Lenders, Share brokers, Other Solicitors, Barristers Chambers (Counsel), Architects, Medical Professionals, Surveyors, Debt collection agencies if you fail to settle your judgement debts etc.

If false or inaccurate information is provided or fraud identified by RSO we and if your matter is legally funded the Legal Aid Agency can lawfully share your personal information with fraud prevention agencies to detect and to prevent fraud and money laundering.

You can contact our Data Protection Officer (Helen Odele) for further information on the organisations we may share your personal information with.

Details of transfers to third country and safeguards

It may sometimes be necessary to transfer personal information overseas, (for example if we are liaising with entities - whether private or public) and such transfers made will be in full compliance with all aspects of the data protection law.

Retention period for information collected

Your personal information will not be retained for any longer than is necessary for the lawful purposes for which it has been collected and processed.

This is to ensure that your personal information does not become inaccurate, out of date or irrelevant. Please note for legally aided matters - The Legal Aid Agency has set retention periods for the personal information that we collect, this can be accessed via their website: <https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>

For any queries on this you can contact our Data Protection Officer (Helen Odele).

While we retain your personal data, we will ensure that it is kept securely and protected from loss, misuse or unauthorised access and disclosure. Once the retention period has been reached, your personal data will be permanently and securely deleted and destroyed. We are mandated by the Solicitors Regulation Authority to keep your data for a minimum of six years, whereby thereafter your file will be destroyed unless you pay a fee to take it.

6. Storage of personal data

Where is this information stored?

Our business architecture, accounting and systems infrastructure and compliance organisation means that all personal data is processed on common, group-wide platforms (our IT servers). We have processes in place to make sure that only those people in our organisation who need to access your data can do so with passwords to our computers and e-mail inbox and lockable files for paper storage.

7. Security measures

Our information security management system is secure and we have what we believe are appropriate security controls in place to protect personal data. Risk assessment, including assessing risks to the rights and freedoms of data subjects. We do not, however, have any control over what happens between your device and the boundary of our information infrastructure. You should be aware of the many information security risks that exist and take appropriate steps to safeguard your own information. We accept no liability in respect of breaches that occur beyond our sphere of control.

8. Your rights as a data subject (Access to personal information)

Access to your personal information

You can find out if we hold any personal data about you by making a 'subject access request'. If you wish to make a subject access request please contact us at our offices (address noted above) or by e-mail.

To process your request, we will ask you to provide two valid forms of identification for verification purposes. Your rights are as follows:

- ***The right to be informed***
We are obliged to provide clear and transparent information about our data processing activities. This is provided by this privacy policy and any related communications we may send you.
- ***The right of access***
You may request a copy of the personal data we hold about you free of charge.

Once we have verified your identity and, if relevant, the authority of any third-party requestor, we will provide access to the personal data we hold about you as well as the following information:

- a) The purposes of the processing
- b) The categories of personal data concerned
- c) The recipients to whom the personal data has been disclosed
- d) The retention period or envisioned retention period for that personal data
- e) When personal data has been collected from a third party, the source of the personal data

If there are **exceptional circumstances** that mean we can refuse to provide the information, we will explain them. If requests are frivolous or vexatious, we reserve the right to refuse them. If answering requests is likely to require additional time or occasions unreasonable expense (which you may have to meet), we will inform you.

- ***The right to rectification***

When you believe we hold inaccurate or incomplete personal information about you, you may exercise your right to correct or complete this data. This may be used with the right to restrict processing to make sure that incorrect/incomplete information is not processed until it is corrected.

- ***The right to erasure (the 'right to be forgotten')***

Where no overriding legal basis or legitimate reason continues to exist for processing personal data, you may request that we delete the personal data. This includes personal data that may have been unlawfully processed. We will take all reasonable steps to ensure erasure.

- ***The right to restrict processing***

You may ask us to stop processing your personal data. We will still hold the data, but will not process it any further. This right is an alternative to the right to erasure. If one of the following conditions applies you may exercise the right to restrict processing:

- a) ***The accuracy of the personal data is contested***

- b) Processing of the personal data is unlawful.

- c) We no longer need the personal data for processing but the personal data is required for part of a legal process.

- d) The right to object has been exercised and processing is restricted pending a decision on the status of the processing.

- ***The right to data portability***

You may request your set of personal data be transferred to another controller or processor, provided in a commonly used and machine-readable format. This right is only available if the original processing was on the basis of consent, the processing is by automated means and if the processing is based on the fulfilment of a contractual obligation.

The right to object

You have the right to object to our processing of your data where

- Processing is based on legitimate interest;
- Processing is for the purpose of direct marketing;
- Processing is for the purposes of scientific or historic research; or
- Processing involves automated decision-making and profiling

9. Contact us

Any comments, questions or suggestions about this privacy policy or our handling of your personal data should be emailed info@rsosolicitors.com alternatively you can contact us at offices:

RSO & Partners Solicitors
252 Kirkdale
Sydenham
London
SE26 4NL
United Kingdom

Telephone: +44 (0) 20 8676 3449

Fax: +44 (0) 20 8676 3448

Our telephone switchboard is open 9:30 am – 5:30 pm GMT, Monday to Friday. Our switchboard team will take a message and ensure the appropriate person responds as soon as possible.

10. Complaints

Should you wish to discuss a complaint, please feel free to contact us using the details provided above. All complaints will be treated in a confidential manner.

Should you feel unsatisfied with our handling of your data, or about any complaint that you have made to us about our handling of your data, you are entitled to escalate your complaint to a supervisory authority within the UK, this is the ICO (Information Commissioner's Office), which is also our lead supervisory authority.

Its contact information can be found at <https://ico.org.uk/global/contact-us/>.

Information Commissioner's Office
Wycliffe House
Water Lane, Wilmslow,
Cheshire
SK9 5AF
Tel: 0303 123 1113
www.ico.org.uk