

# Client Data Protection and Privacy Policy

## Introduction

---

Welcome to EJ Coombs Solicitors' privacy notice.

EJ Coombs Solicitors respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we collect and look after your personal data and tell you about your privacy rights and how the law protects you.

This privacy notice deals with the specific areas set out below. Please use the glossary below to understand the meaning of some of the terms used in this privacy notice:

1. [IMPORTANT INFORMATION AND WHO WE ARE](#)
2. [THE DATA WE COLLECT ABOUT YOU](#)
3. [HOW IS YOUR PERSONAL DATA COLLECTED](#)
4. [HOW WE USE YOUR PERSONAL DATA](#)
5. [DISCLOSURES OF YOUR PERSONAL DATA](#)
6. [INTERNATIONAL TRANSFERS](#)
7. [DATA SECURITY](#)
8. [DATA RETENTION AND DISPOSAL](#)
9. [YOUR LEGAL RIGHTS](#)
10. [GLOSSARY](#)
11. [COOKIE POLICY](#)

## 1. Important information and who we are

---

### Purpose of this privacy notice

This privacy notice aims to give you information on how EJ Coombs Solicitors collects and processes your personal data.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

### Controller

EJ Coombs Solicitors Ltd is the controller and responsible for your personal data (collectively referred to as "EJ Coombs Solicitors", "EJC", "we", "us", or "our" in this privacy notice).

We have appointed a Data Protection Administrator who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the Data Protection Administrator using the details set out below.

### Contact details

Our full details are:

Full name of legal entity: EJ Coombs Solicitors Ltd (also trading as EJ Coombs Solicitors) is a Limited Company registered in England with company no 11593627.

Email address: [office@ejcoombs.co.uk](mailto:office@ejcoombs.co.uk)

Telephone number: 01245-221699

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please contact us in the first instance.

## Changes to the privacy notice and your duty to inform us of changes

This version was last updated on 1st June 2019. Historic versions can be obtained by contacting us.

The data protection law in the UK changed on 25th May 2018, and this privacy notice sets out most of your rights under the new laws.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## Third-party links

Our website and e-mails and other services may include links to third-party websites, plugins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## 2. The data we collect about you

---

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed.

### When undertaking your instructions as a client

Through your instructions to us in order to provide your legal services we will have to collect, use and store different kinds of personal data.

**Personal Data.** We would need to collect some personal data about you (for example data such as name, addresses, employment and financial details), and we may also need to collect some **Special Categories of Personal Data** about you (this data is defined as data including details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data, as well as information relating to criminal convictions and offences).

## Through our website

Through your use of our website and IT services, we may also collect other forms of data:

**Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.

**Usage Data** includes information about how you use our website.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

## If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

## 3. How is your personal data collected

---

We use different methods to collect data from and about you including through:

### Personal Interaction

We will collect any relevant information we need from you through face to face, telephone or email consultations. This information may include personal and special categories of personal data. This data may be collected via note taking and / or recording of telephone calls.

### Automated technologies or interactions.

As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy below for further details

### Third parties or publicly available sources.

We may receive Technical Data from analytics providers such as Google based outside the EU.

## Usage Data

includes information about how you use our website.

## 4. How we use your personal data

---

We will only use your personal data when the law allows us to. Most commonly, we will use your data

- (a) where it is necessary in the performance of a contract with you
- (b) 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
- (c) where we need to comply with a legal or regulatory obligation.

The types of lawful basis that we will rely on to process your personal data are set out below.

### Purposes for which we will use your personal data

At EJ Coombs Solicitors, we are committed to protecting your privacy. Set out below is an explanation of how we use your information

- (a) We will use the **personal data** and **special categories of personal data** you give us in order to provide the legal services which you have asked us to supply. Such usage is necessary in the performance of a contract with you.
- (b) We may use your **Technical Data** to administer and protect our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data). Such use would be necessary for our legitimate interests (for running our business, provision of administration and IT services and to prevent fraud), and to comply with a legal obligation.
- (c) We may use your **Usage Data and Technical Data** to deliver relevant website content to you and measure or understand the effectiveness of the content. Such use would be necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform market strategy).
- (d) We may use your **Usage Data and Technical Data** to use data analytics to improve our website, services, marketing, customer relationships and experiences. Such use would be necessary for our legitimate interests (to define types of customers for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy).

### Third-party marketing

We do not share your personal data with any third-party company for marketing purposes.

## Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about cookies we use, please see our cookie policy below.

## Change of purpose

We will only use your personal data 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 the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please *contact us*.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that 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.

## 5. Disclosures of your personal data

---

We may have to share your personal data with the parties set out below for the purposes set out at paragraph 4 above:

- a. External Third Parties as set out in the glossary.
- b. Third Parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 6. International transfers

---

We do not transfer your personal data outside the European Economic Area (EEA).

## 7. Data security

---

We have put 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 those employees, agents, contractors and other third parties who have a business and 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 personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 8. Data Retention and Disposal

---

We will ensure that information is not kept longer than is necessary and will retain the minimum amount of information that it requires to carry out its' statutory functions and the provision of services.

We will conduct a review of the Information we hold on a regular and periodic (at least annually) basis to determine whether any retention periods have expired. Once the retention period has expired, the data must be reviewed and action agreed upon.

Actions we will take are;

- the destruction of the data; or
- the retention of the data for a further period; or,
- alternative disposal of the data.

Decisions must not be made with the intent of denying access or destroying evidence.

### Destruction

No destruction of data should take place without assurance that:

- the data is no longer required by any part of the business;
- no work is outstanding by any part of the business;
- no litigation or investigation is current or pending which affects the data; and
- there are no current or pending Freedom of Information or Data Protection subject access requests which affect the data.

### Destruction of Paper Records

Destruction should be carried out in a way that preserves the confidentiality of the data. Non-confidential data can be placed in ordinary rubbish bins or recycling bins. Confidential data and records which contain personal data, should be placed in confidential waste bins or shredded and placed in paper rubbish sacks for collection by an approved disposal firm. All copies, including security copies, preservation copies and backup copies, should be destroyed at the same time and in the same manner. If using a third party we will gain a certificate of destruction.

### Destruction of Electronic Records

All electronic data will be either physically destroyed or wiped. This will be done to reasonable extent to ensure the data has been destroyed. If using a third party we will gain a certificate of destruction.

### Further Retention

The data may be retained for a further period if there is specific legislation that requires it to be held for a further period.

Information	Retention Period
-------------	------------------

Client Case Files	<p>Family cases - 7 years after the last activity on the file (typically payment of bill, closure and archive) or, where there is a child under 18, when until the client has turned 18.</p> <p>Will and LPA files – until the death of the testator/donor or until the will/LPA is no longer valid, i.e. a new will has been written which supercedes it.</p> <p>Probate files – 7 years after the last activity on the file (typically payment of bill, closure and archive).</p>
Client Complaints	7 years (with client file)

## 9. Your legal rights

Under certain circumstances, you have rights under the data protection laws in relation to your personal data. Your rights are listed below, and more detail can be found in the [glossary](#) below:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please *contact us*.

### No fee usually required

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

### What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### Time limit to respond

We will respond without undue delay and have up to 30 days to respond to a subject access request. When the requests made are complex and of a significant number, we may extend the response time by up to two months but must notify you within a month of receiving the request, explaining the reason for the delay.

## 10. Glossary

---

### Lawful basis

#### Performance of a contract with you

means the processing is necessary for a contract between our business and individual, or because you have asked us to take specific steps before entering into a contract.

#### Legitimate Interest

means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted by law). You can obtain further information about how we assess our legitimate interests against any particular impact on you in respect of specific activities by *contacting us*.

#### Comply with a legal or regulatory obligation

means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### External third parties

Service providers acting as processors based in the UK who provide IT and system administration services.

Professional advisers acting as processors including lawyers, bankers, auditors and insurers based in the UK who provide consultancy, banking, legal, insurance and accounting services.

HM Revenue and Customs, regulators and other authorities acting as processors based in the UK who require reporting of processing activities in certain circumstances.

### Your legal rights

#### Request access to your personal data

(commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.



## Request correction of the data that we hold about you.

This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

## 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 also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

## Object to processing of your personal data

where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

## Request restriction of processing of your personal data.

This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

## Request the transfer of your personal data to you or to a third party.

We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. note that this right only applies to automated information which you initially provided consent for us to use or where we used information to perform a contract with you.

## Withdraw consent at any time

where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

## 11. Cookie policy

---

Like many websites, the EJ Coombs Solicitors website uses cookies – small text files, typically of letters and numbers – to capture limited information about the site's users. The

information is transferred by the website to the cookie file of the browser on the hard drive of the user's computer.

This site uses Google Analytics cookies. These allow us to measure the number of visitors, to see how visitors navigate the site and to see which resources they access. This helps us to develop new content and to improve the way the website works. These cookies do not enable us to identify individual users. Google provides [further information about Analytics](#).

To prevent Google Analytics cookies being set, you may install the [Google Analytics Opt-Out Browser Add-On](#).

For general information about cookies please visit [www.allaboutcookies.org](http://www.allaboutcookies.org).