

William Davis Solicitors

Privacy Notice

William Davis Solicitors Privacy Notice

This privacy notice contains information about how William Davis Solicitors collects, stores and otherwise processes information about you and the reasons for that processing.

It also tells you who we share this information with, the security mechanisms we have put in place to protect your data and how to contact us in the event you need further information.

How do we collect Information?

Information collected

When carrying out our business we may collect some or all of the following personal information:

- 1) Personal details
- 2) Family details
- 3) Lifestyle and social circumstances
- 4) Goods and services
- 5) Financial details
- 6) Education, training and employment details
- 7) Physical or mental health details
- 8) Racial or ethnic origin
- 9) Political opinions
- 10) Religious, philosophical or other beliefs
- 11) Trade union membership
- 12) Sex life or sexual orientation
- 13) Genetic data
- 14) Biometric data for the purpose of uniquely identifying a natural person
- 15) Criminal proceedings, outcomes and sentences, and related security measures
- 16) Other personal data relevant to instructions to provide legal services, including data specific to the instructions in question.

Information collected from other sources

The same categories of information may also be obtained from third parties, such as other legal professionals or experts, members of the public, your family and friends, witnesses, courts and other tribunals, investigators, government departments, regulators, and public records and registers.

How we use your personal information: Purposes

We may use your personal information for the following purposes:

- a) To provide legal services, including the provision of legal advice and representation in courts, tribunals, arbitrations, and mediations;
- b) To keep accounting records and carry out office administration;
- c) To take or defend legal or regulatory proceedings or to exercise a lien;
- d) To respond to potential complaints or make complaints;
- e) To check for potential conflicts of interest in relation to future potential cases;
- f) To promote and market our services, but where this is done you will be anonymised where appropriate;
- g) To carry out anti-money laundering and terrorist financing checks;
- h) To respond to requests for references;
- i) To publish legal judgments and decisions of courts and tribunals;
- j) As required or permitted by law.
- k) As required under the Legal Aid contract and applicable regulations.

Whether information has to be provided by you, and why

If we have been instructed by you on a case, your personal information has to be provided, to enable us to provide you with advice or representation, and to enable us to comply with our professional obligations, legal obligations and to keep accounting records.

The legal basis for processing your personal information

We rely on the following as the lawful bases on which we collect and use your personal information:-If you have consented to the processing of your personal information, then we may process your information for the Purposes set out above to the extent to which you have consented to us doing so.

-If you are a client, processing is necessary for the performance of a contract for legal services or in order to take steps at your request prior to entering into a contract.

-In relation to information which is in categories (7) to (15) above (these being categories which are considered to include particularly sensitive information and which include information about criminal convictions or proceedings) we rely on your consent for any processing for the purposes set out in purposes (b), (d), (f), (h) and (k) above. We need your consent to carry out processing of this data for these purposes. However, if you do not consent to processing for purposes (d) and (h) (responding to potential complaints and providing a reference) we will be unable to take your case. This is because we need to be able to retain all the material about your case until there is no prospect of a complaint and to provide an informed and complete reference.

-In relation to information in categories (7) to (15) above (these being categories which are considered to be particularly sensitive information and include information about criminal convictions or proceedings), we are entitled by law to process the information where the processing is necessary for legal proceedings, legal advice, or otherwise for establishing, exercising or defending legal rights

-In relation to information which is not in categories (7) to (15) above, we rely on our legitimate interest and/or the legitimate interests of a third party in carrying out the processing for the Purposes set out above

-In certain circumstances processing may be necessary in order that we can comply with a legal obligation to which we are subject (including carrying out anti-money laundering or terrorist financing checks)

-The processing is necessary to publish judgments or other decisions of courts or tribunals.

Who will we share your personal information with?

If you are a client, some of the information you provide will be protected by Legal Professional Privilege unless and until the information becomes public in the course of any proceedings or otherwise. As solicitors, we have an obligation to keep your information confidential, except where it otherwise becomes public or is disclosed as part of the case or proceedings.

It may be necessary to share your information with the following:

- data processors, such as IT support staff, email providers, data storage providers;
- other legal professionals
- experts and other witnesses
- prosecution authorities
- courts and tribunals
- the staff at Bark & co;
- trainee solicitors and paralegals;
- lay clients;
- family and associates of the person whose personal information we are processing;
- other members of William Davis Solicitors in order to discuss your case;
- in the event of complaints, the principal, other members of William Davis Solicitors who deal with complaints, the Solicitors Regulation Authority, and the Legal Ombudsman;
- other regulatory authorities;
- current, past or prospective employers;
- education and examining bodies;
- business associates, professional advisers and trade bodies, e.g. the Law Society;

- the intended recipient, where you have asked William Davis Solicitors to provide a reference.
- the general public in relation to the publication of legal judgments and decisions of courts and tribunals.

We may be required to provide your information to regulators, such as the Solicitors Regulation Authority, the Financial Conduct Authority or the Information Commissioner's Office. In the case of the Information Commissioner's Office, there is a risk that your information may lawfully be disclosed by them for the purpose of any other civil or criminal proceedings, without our consent or yours, which includes privileged information.

We may also be required to disclose your information to the police or intelligence services, where required or permitted by law.

The personal information we obtain may include information which has been obtained from:

- other legal professionals
- experts and other witnesses
- prosecution authorities
- Courts and tribunals-
- trainee solicitors or paralegals
- lay clients
- family and associates of the person whose personal information we are processing
- in the event of complaints, the Head of Chambers, other members of Chambers who deal with complaints, the Bar Standards Board, and the Legal Ombudsman
- other regulatory authorities
- current, past or prospective employers
- education and examining bodies
- business associates, professional advisers and trade bodies, e.g. the Law Society
- the intended recipient, where you have asked me to provide a reference.
- the general public in relation to the publication of legal judgments and decisions of courts and tribunals
- data processors, such as IT support staff, email providers, data storage providers

-public sources, such as the press, public registers and law reports.

-Cloud data storage services based in the USA who have agreed to comply with the EU-U.S. Privacy Shield, in order to enable storage of your data and/or backup copies of your data so that it can be accessed when required. The USA does not have the same data protection laws as the EU but the EU-U.S. Privacy Shield has been recognised by the European Commission as providing adequate protection. To obtain further details of that protection see https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield_en.

If you would like any further information, please use the contact details at the end of this document.

How long will William Davis Solicitors store your personal data?

We will normally store all your information:

-Until at least 1 year after the expiry of any relevant limitation period (which will usually be 6 years, but may be 12 years, or longer where the case includes information relating to a minor), from the date of the last item of work carried out, the date of the last payment received or the date on which all outstanding payments are written off, whichever is the latest. At this point any further retention will be reviewed and the data will be marked for deletion or marked for retention for a further period. The latter retention period is likely to occur only where the information is likely to be needed for legal proceedings, regulatory matters or active complaints. Deletion will be carried out (without further notice to you) as soon as reasonably practicable after the data is marked for deletion

-Circumstances in which data is likely to be retained beyond 1 year after the expiry of the relevant limitation period include where a lengthy sentence has been imposed and an appeal against sentence or conviction, or a complaint, remain possible. In such a case your information will be retained until such an appeal or complaint is no longer a realistic possibility

-We will store some of your information for which we need to carry out conflict checks permanently. However, this is likely to be limited to your name and contact details or the name of the case. This will not include any information within categories (7) to (15) above

-Information related to anti-money laundering checks will be retained until five years after the completion of the transaction or the end of the business relationship, whichever is the later;

-Names and contact details held for marketing purposes will be stored indefinitely or until we become aware or are informed that the individual has ceased to be a potential client.

Consent

As explained above, we are relying on your explicit consent to process your information in categories (7) to (15) above. You provided this consent when you agreed to instruct Bark & co.

You have the right to withdraw this consent at any time, but this will not affect the lawfulness of any processing activity we have carried out prior to you withdrawing your consent. However, where we also rely on other bases for processing your information, you may not be able to prevent processing of your data. For example, if you have asked a barrister to work for you and the barrister has spent time on your case, you may owe money which we would be entitled to claim. The withdrawal of your consent will also not affect the lawful retention of your information for the purposes of a potential complaint or appeal, in accordance with our retention policy.

If there is an issue with the processing of your information, please contact William Davis Solicitors using the contact details below.

Your Rights

Under the GDPR, you have a number of rights that you can exercise in certain circumstances. These are free of charge. In summary, you may have the right to:

- Ask for access to your personal information and other supplementary information;
- Ask for correction of mistakes in your data or to complete missing information held on you;
- Ask for your personal information to be erased, in certain circumstances;
- Receive a copy of the personal information you have provided to us or have this information sent to a third party. This will be provided to you or the third party in a structured, commonly used and machine readable format;
- Object at any time to processing of your personal information for direct marketing;
- Object in certain other situations to the continued processing of your personal information;
- Restrict processing of your personal information in certain circumstances;
- Request not to be the subject to automated decision-making which produces legal effects that concern you or affects you in a significant way.

If you want more information about your rights under the GDPR please see the Guidance from the Information Commissioners Office on [Individual's rights under the GDPR](#).

If you want to exercise any of these rights, please:

- Use the contact details at the end of this document;
- Provide sufficient information so that you can be identified;
- Provide a contact address so that you can be contacted to request further information to verify your identity;
- Provide proof of your identity and address;

-State the right or rights that you wish to exercise.

We will respond to you within one month from when we receive your request.

How to make a complaint?

The GDPR also gives you the right to lodge a complaint with the Information Commissioners' Office if you are in the United States, or with the supervisory authority of the Member State where you work, normally live or where the alleged infringement of data protection laws occurred..

Future Processing

William Davis Solicitors does not intend to process your personal information except for the reasons stated within this privacy notice. If this changes, this privacy notice will be amended and placed on the website.

Changes to this privacy notice

This privacy notice was published on 25th May 2018 and last updated on 21.02.2019.

We continually review our privacy practices and may change this policy from time to time. When we do it will be placed on the website.