



Privacy Statement

Gladstones Solicitors are a Data Controller in terms of the General Data Protection Regulations (GDPR), and are registered with the Information Commissioner, under Registration Number Z2712000.

<https://ico.org.uk/ESDWebPages/Entry/Z2712022>

Gladstones Solicitors are authorised and regulated by the Solicitors Regulation Authority, under ID Number 559050.

<https://www.sra.org.uk/consumers/register/organisation/?sraNumber=559050>

Gladstones Solicitors are highly committed to the security of processing personal data.

What information do we hold about you?

Gladstones processes and holds both personal data and special category personal data (also known as sensitive data) for individuals under the General Data Protection Regulations (GDPR) and the Data Protection Act 2018.

Personal Data

Personal data/information relating to an individual, who can be identified from that data/information. For example;

- Name (forename/middle name/surname)
- Address (current and previous)
- Date of Birth
- Contact telephone number(s)
- Email Address

We may also hold personal information about you relating to the matter we are pursuing you for, such as;

- Photographs
- Correspondence
- Telephone call recordings

**This list is not exhaustive*

Special Category Personal Data

Special Category personal data, also known as sensitive data, relates to;

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Data concerning health
- Data concerning sex life or sexual orientation
- Criminal convictions

Clients of the firm

If you are a client of the firm, you will have provided us with various information, such as;

- Name
- Address
- Contact details (telephone number/email address)
- Date of Birth

**This list is not exhaustive*

We need these details so that we can properly represent you, and also for our legal and regulatory obligations, i.e. our due diligence checks including complying with Money Laundering Regulations and the Criminal Finances Act.

Depending on the type of matter we are assisting you with, we are also likely to hold special category (sensitive) data. For example

- Data concerning your health, by way of medical records
- Data concerning your ethnic origin, when obtaining photographic identification

**This list is not exhaustive*

When in receipt of special category data, we process this data when necessary for establishing, exercising or defending legal claims, and providing legal advice.

Non-Clients of this firm

If you are involved in proceedings or any case other than as our client, then we will hold personal data about you, in order that we can properly record and carry out the instructions of our client, which may also include special category data. For example;

- Name (forename/middle name/surname)
- Address (current and previous)
- Date of Birth
- Vehicle Registration Number
- Outstanding balance owing
- Medical/health conditions
- Ethnic origin

**This list is not exhaustive*

When in receipt of special category data, we process this data when necessary for establishing, exercising or defending legal claims, and providing legal advice to our client(s).

Why do we process your information and what is the legal basis for doing so?

Clients of the firm

As per Article 6 of the General Data Protection Regulations, there must be a lawful basis in which personal data is processed.

We process and hold information about you, so that we can properly represent you in the matters for which we are instructed, in conjunction with our own regulatory requirements.

Under the GDPR, our lawful bases for processing are;

- Performance of a Contract
This could be a contract that we are representing you in relation to, and/or our contract of services with you
- Compliance with a Legal Obligation
We are required to hold certain data in order to comply with legislation, such as the Money Laundering Regulations
- Legitimate Interest
Our Regulator (Solicitors Regulation Authority) require us to hold and maintain records, for compliance purposes, so that such records are available, should they be required. Also, should a complaint or dispute arise, we can have recourse to our file in order to address the same.

Non Clients of the firm

We process and hold information about you, so that we can properly represent our clients for matters in which we are instructed. Under the GDPR, our lawful basis for processing is;

- Legitimate Interest
We process and hold information about those who are involved in legal or potential legal proceedings with our client. As a law firm this information is necessary and lawful, as it is required in furtherance of our clients instruction and so that we can properly advise our client, and act for them on their rights and obligations. For example;
 - When acting on behalf of one party during a separation
 - When recovering a debt/monies owed to our client

Who might we share information with?

Clients of the firm

We will only share your information with those necessary in order to comply with our obligations to you, and our regulatory obligations, in furtherance of your instructions and in relation to other issues concerning the performance of our contract with you. For example;

- Solicitors acting on the other side of a matter/transaction
- HM Courts and Tribunal Service
- Contracted Suppliers
- Law Enforcement/Emergency Services

**This list is not exhaustive*

There may be occasions when your data is transferred to a third country (out of the European Economic Area) during the performance of our contract with you, for instance where the other side to a dispute is resident abroad, or the case involves another party, or witness, who is located abroad.

Data will only be transferred if necessary for the performance of the contract between yourself and Gladstones, or if the transfer is necessary for the establishment, exercise or defence of legal claims

We will of course at the relevant time, explain any risks involved.

Non Clients of the firm

We will only share your data with other persons, companies, regulators, supervisory bodies, Government entities, and others, to the extent necessary to reasonably exercise our client's rights in furtherance of our contract of services with them. For example

- Tracing Agents
- Enforcement Agents
- Solicitors/Advocates
- HM Courts and Tribunal Service
- Contracted suppliers, i.e. printing providers, IT service providers

**This list is not exhaustive*

In addition, there will be the disclosure of your data, if Gladstones are subject to a Government or Regulatory Audit, for example from HM Revenue and Customs, or the Solicitors Regulation Authority, in accordance with our legal and regulatory obligations.

When your information is shared with third parties, under a contract of services with our client, we will ensure that the third party have provided is with the necessary assurances that they will comply with their obligations under the GDPR, and do not use your data, otherwise in accordance with our instructions.

Who may provide your information to us?

Clients of the firm

Information will be provided to us by you, others involved in any legal process, those referring work to us (for example banks/building societies) and those providing us with instructions on your behalf, if they have the necessary authority to do so.

Non Clients of the firm

The majority of your information will come from our client, when we are instructed on their behalf. It may also come from third parties whilst we carry out our client's instructions (or who act on our clients behalf) as well as tracing agents.

How long do we hold your information?

Clients of the firm

As we are acting for you under a contract of services, we need to retain all data for a minimum of 6 years, to enable us to have recourse to it, should any issues arise, under the performance or otherwise of that contract. We will not retain data for any longer than 7 years.

We are also under a duty to comply with various legislation, such as the Money Laundering Regulations, which require us to hold data for a specific period of time, namely, at least 5 years.

In some circumstances, data may be held longer than is indicated above, for example;

- When we have been instructed to store a Last Will and Testament
- When we have been instructed to store Deeds to a property
- When we have been instructed to store a Lasting Power of Attorney
- When there is any ongoing dispute/claim/complaint

**This list is not exhaustive*

In circumstances where we hold your data for longer than the standard retention period, when storing important documentation, this will be on the basis of your Consent. Your Consent being provided within our Terms and Business.

Non Clients of the firm

Your data forms a record of our performance of a contract of services with our client, and therefore we retain your data for a minimum period of 6 years, but no longer than 7 years, from the date in which the matter you were involved comes to an end.

At the expiration of the aforementioned retention periods, we will securely dispose of your data, in all formats.

How can you access the information we hold about you?

All data subjects, with regards to personal data, have the following rights;

- The right to information and access of personal data
- The right to rectification
- The right to erasure, also known as “the right to be forgotten”
- The right to the restriction of processing
- The right to data portability
- The right to object to processing
- Rights in relation to automated decision making and profiling
Please note that this firm does not undertake automated decision making and/or profiling

Further information on the rights available to data subjects can be found on the website of The Information Commissioner; www.ico.org.uk

Any request for access to personal information we are processing can be made to our Compliance Department;

Gladstones Solicitors Limited
Unit B
1st Floor
210 Cygnet Court
Centre Park
Warrington
WA1 1PP

DataProtectionOfficer@gladstonessolicitors.co.uk

We will provide all information that you are entitled to under the subject access provisions, promptly, without delay and within the statutory time frame. There is no charge for providing you with this information.

Important

Please be aware that some information we hold about individuals, other than our client, is subject to Legal Professional Privilege and is therefore exempt from the rights of access, that otherwise applies to data subjects.

How can you request rectification of your information?

The accuracy of data is very important to us.

Any request to rectify inaccurate or incomplete data we hold can be made to our Compliance Department;

Gladstones Solicitors Limited
Unit B
1st Floor
210 Cygnet Court
Centre Park
Warrington
WA1 1PP

DataProtectionOfficer@gladstonesolicitors.co.uk

We will inform you promptly, without delay and within the statutory time frame if the rectification has been carried out, or refused. We will always inform any third party with whom we have shared the data with, of any rectification carried out, if applicable.

When the accuracy of information is contested, you have the right to request a restriction of processing of your information.

Important

Please be aware that in some circumstances it may be the information you are requesting us to amend is subject to Legal Professional Privilege, or we are unable to amend the information as we are required to act under our client's instructions, we are doubtful of it, due process requires otherwise, or a legitimate interest exists as to why we are unable to amend it.

In some circumstances we may need identification documents from you in order to carry out this request.

How can you request the erasure of your information?

Any request to have information held by this firm erased can be made to our Compliance Department;

Gladstones Solicitors Limited
Unit B
1st Floor
210 Cygnet Court
Centre Park
Warrington
WA1 1PP

DataProtectionOfficer@gladstonesolicitors.co.uk

We will inform you promptly, without delay and within the statutory time frame if the erasure has been carried out, or refused.

Important

Please be aware of the basis in which we process your personal data, as this can result in an exemption of the request to erase data, where the processing or retention is necessary.

How can you make a data portability request?

Clients of the firm

Any request to receive your information to re-use the same for a third party can be made to our Compliance Department;

Gladstones Solicitors Limited
Unit B
1st Floor
210 Cygnet Court
Centre Park
Warrington
WA1 1PP

DataProtectionOfficer@gladstonessolicitors.co.uk

We will provide the information provided to us by you in a commonly used format, promptly, without delay and within the statutory time frame.

Non Clients of the firm

We are not able to make information available to you under the data portability provisions, as we are not providing a service to you. Our services are provided to our client.

How can you request to object to the processing of your information?

Any request to object to your information being processed can be made to our Compliance Department;

Gladstones Solicitors Limited
Unit B
1st Floor
210 Cygnet Court
Centre Park
Warrington
WA1 1PP

DataProtectionOfficer@gladstonessolicitors.co.uk

We will inform you promptly, without delay and within the statutory time frame if the objection is upheld, or refused.

How do we ensure the security of your information?

Gladstones safeguards all personal data, in a number of ways;

- A strong firm commitment to the protection of personal data
- Dedicated Data Protection Department
- Access Controls
- Internal Policies and Procedures
- Encryption
- Password Protection
- Electronic Controls

**This list is not exhaustive*

Gladstones treat personal data with the upmost importance and take the security of data seriously at all times.

If you wish to make a complaint about the processing of your information or have concerns or questions about the processing of your information

Any complaint regarding the processing or retention of your personal data can be made to our Compliance Department;

Gladstones Solicitors Limited
Unit B
1st Floor
210 Cygnet Court
Centre Park
Warrington
WA1 1PP

DataProtectionOfficer@gladstonessolicitors.co.uk

Should you wish to make a complaint regarding the processing or retention of your personal data by this firm, you can make a complaint to the Supervisory Authority;

The Information Commissioner (ICO)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

0303 123 1113

www.ico.org.uk

Changes to this Privacy Statement

Our Privacy Statement is regularly reviewed

The Privacy Statement was last updated 10 May 2023