



PRIVACY NOTICE

KB SOLICITORS & NOTARY PUBLIC

This notice explains when and why we collect personal information about you; how we use it, the conditions under which we may disclose it to others and how we keep it secure.

As clients of this firm, you should read this notice alongside our general terms and conditions which provide further information on confidentiality, data privacy, etc.

Introduction

The Data Protection Act 2018 (“DPA 2018”) and the General Data Protection Regulation (“GDPR”) impose certain legal obligations in connection with the processing of personal data.

KB Solicitors & Notary Public (“KB Solicitors”) is a data controller within the meaning of the GDPR and we collect, process and store personal data.

KB Solicitors is a private company limited by shares, authorised and regulated by the Solicitors Regulation Authority under number 06262645

Name: Mr Kuldeep Singh Bhatti

Position: Data Protection Officer

Email: info@kbsolicitors.com

Telephone: 01344 374 406

Address: Venture House, 2 Arlington Square, Downshire Way, Bracknell RG12 1WA

We may amend this privacy notice from time to time. If we do so, we will supply you with and/or otherwise make available to you a copy of the amended privacy notice.

The purposes for which we intend to process personal data

We intend to process personal data for the following purposes:

- To enable us to supply professional services to you as our client.
- To fulfil our obligations under relevant laws in force from time to time (e.g. the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (“MLR 2017”).
- To comply with professional obligations to which we are subject as a member of the Solicitors Regulation Authority.
- To use in the investigation and/or defence of potential complaints, disciplinary proceedings and legal proceedings.

- To enable us to invoice you for our services and investigate/address any fee disputes that may have arisen.
- To contact you about other services we provide which may be of interest to you if you have consented to us doing so.

The legal bases for our intended processing of personal data

The primary reason for asking you to provide us with your personal data, is to allow us to carry out your requests – which will ordinarily be to represent you and carry out your legal work.

Our intended processing of personal data has the following legal bases:

- At the time you instructed us to act, you gave consent to our processing your personal data for the purposes listed above.
- The processing is necessary for the performance of our contract with you.
- The processing is necessary for compliance with legal obligations to which we are subject (e.g. MLR 2017).
- The processing is necessary for the purposes of the following legitimate interests which we pursue:

- o Verifying your identity
- o Verifying source of funds
- o Communicating with you
- o To establish funding of your matter or transaction
- o Obtaining insurance policies on your behalf
- o Processing your legal transaction including:
 - § Providing you with advice and administrative support on noncontentious matters
 - § Carrying out litigation on your behalf § Attending hearings on your behalf
 - § Preparing documents
 - § Exchanging and completing property/commercial and corporate transactions
- Keeping financial records of your transactions and the transactions we make on your behalf
- Seeking advice from third parties; such as legal and non-legal experts
- Responding to any complaint or allegation of negligence against us

It is a requirement of our contract with you that you provide us with the personal data that we request. If you do not provide the information that we request, we may not be able to provide professional services to you. If this is the case, we will not be able to commence acting or will need to cease to act.

Categories of personal data collected

The exact information we will request from you will depend on what you have asked us to do or what we are contracted to do for you.

There are two types of personal data (personal information) that you may provide to us:

- Personal data: is the general information that you supply about yourself – such as your name, address, gender, date of birth, contact details, financial information etc.
- Sensitive personal data: is, by its nature, more sensitive information and may include your racial or ethnic origin, religion, sexual orientation, political opinions, health data, trade union membership, philosophical views, biometric and genetic data.

In the majority of cases personal data will be restricted to basic information and information needed to complete ID checks. However some of the work we do may require us to ask for more sensitive information.

Sources of personal data collected

Information about you may be obtained from a number of sources; including:

- You may volunteer the information about yourself
- You may provide information relating to someone else – if you have the authority to do so
- Information may be passed to us by third parties in order that we can undertake your legal work on your behalf. Typically these organisations can be:
 - o Banks or building societies
 - o Panel providers who allocate legal work to law firms
 - o Organisations that have referred work to us
 - o Medical or financial institutions – who provide your personal records / information
- When you sign up to receive one of our newsletters
- Submitting an online enquiry
- Following/liking/subscribing to our social media channels
- Completing a questionnaire provided either online or in paper form
- Post information to our website or social media channels,

Persons/organisations to whom we may give personal data

We will not sell or rent your information to third parties. We will not share your information with third parties for marketing purposes.

We will only use your information within Posada & Co. However, there may be circumstances, in carrying out your legal work, we may need to share your personal data with third parties. For example:

- HMRC (e.g. for Stamp Duty liability, Inheritance Tax return, etc)
- HM Land Registry (e.g. to register a property)
- Court or Tribunal
- Lawyers acting on the other side
- Barrister or Counsel for specialist advice

- any third parties with whom you require or permit us to correspond (e.g. Banks, Building Societies, Insurance Companies, translation agencies, etc)
- Providers of identity verification
- Any disclosure required by law or regulation; such as the prevention of financial crime and terrorism
- an alternate appointed by us in the event of incapacity or death
- tax insurance providers
- professional indemnity insurers • our professional body (i.e. Solicitors Regulation Authority)
- if there is an emergency and we think you or others are at risk

If the law allows or requires us to do so, we may share your personal data with:

- the police and law enforcement agencies
- courts and tribunals
- the Information Commissioner's Office ("ICO")

We may need to share your personal data with the third parties identified above in order to comply with our legal obligations, including our legal obligations to you. If you ask us not to share your personal data with such third parties we may need to cease to act.

In the event any of your information is shared with the aforementioned third parties, we ensure that they comply, strictly and confidentially, with our instructions and they do not use your personal information for their own purposes unless you have explicitly consented to them doing so.

There may be some uses of personal data that may require your specific consent. If this is the case we will contact you separately to ask for your consent which you are free to withdraw at any time.

Transfers of personal data outside the EEA

All information you provide to us is stored on secure servers in a controlled environment with limited access.

While no transmission of information via the internet is completely secure, we take reasonable measures to protect your personal information. We cannot guarantee the security of your personal information which you are transmitting to us by electronic means; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorized access.

We use a practice management software called LEAP (www.leap.com). We store the information you provide us using LEAP

Our email is provided by Microsoft and we use business services provided by Microsoft

Where we use LEAP, the personal information will be processed outside of the EU including in the United States. These international transfers of your personal information are made pursuant to appropriate safeguards, such as standard data protection clauses adopted by the European Commission.

Retention of personal data

When acting as a data controller and in accordance with recognised good practice within the tax and accountancy sector we will retain all of our records relating to you as follows:

- As long as necessary to carry out your legal work
 - For a minimum of 7 years from the conclusion or closure of your legal work; in case you, or we, need to re-open your case for the purpose of defending complaints or claims against us
- For the duration of a trust
 - Probate matters where there is a surviving spouse or civil partner may be retained until the survivor has died in order to deal with the transferable Inheritance Tax allowance • Wills and related documents may be kept indefinitely
- Deeds related to unregistered property may be kept indefinitely as they evidence ownership
- Personal injury matters which involve lifetime awards or PI Trusts may be kept indefinitely

Requesting personal data we hold about you (subject access requests)

You have a right to request access to your personal data that we hold. Such requests are known as 'subject access requests' ("SARs").

Please provide all SARs in writing marked for the attention of Mr Delfin Posada, Data Protection Officer.

To help us provide the information you want and deal with your request more quickly, you should include enough details to enable us to verify your identity and locate the relevant information. For example, you should tell us:

- your date of birth
- previous or other name(s) you have used
- your previous addresses in the past five years
 - personal reference number(s) that we may have given you, for example your national insurance number, your tax reference number or your VAT registration number
- what type of information you want to know

If you do not have a national insurance number, you must send a copy of:

- the photo page of your passport or a copy of your driving licence; and
- a recent utility bill.

DPA 2018 requires that we comply with a SAR promptly and in any event within one month of receipt. There are, however, some circumstances in which the law allows us to refuse to provide access to personal data in response to a SAR (e.g. if you have previously made a similar request and there has been little or no change to the data since we complied with the original request).

We will not charge you for dealing with a SAR.

You can ask someone else to request information on your behalf – for example, a friend, relative or solicitor. We must have your authority to respond to a SAR made on your behalf. You can provide such

authority by signing a letter which states that you authorise the person concerned to write to us for information about you, and/or receive our reply.

Putting things right (the right to rectification)

You have a right to obtain the rectification of any inaccurate personal data concerning you that we hold. You also have a right to have any incomplete personal data that we hold about you completed. Should you become aware that any personal data that we hold about you is inaccurate and/or incomplete, please inform us immediately so we can correct and/or complete it.

Deleting your records (the right to erasure)

In certain circumstances you have a right to have the personal data that we hold about you erased. Further information is available on the ICO website (www.ico.org.uk). If you would like your personal data to be erased, please inform us immediately and we will consider your request. In certain circumstances we have the right to refuse to comply with a request for erasure. If applicable, we will supply you with the reasons for refusing your request.

The right to restrict processing and the right to object

In certain circumstances you have the right to 'block' or suppress the processing of personal data or to object to the processing of that information. Further information is available on the ICO website (www.ico.org.uk). Please inform us immediately if you want us to cease to process your information or you object to processing so that we can consider what action, if any, is appropriate.

Obtaining and reusing personal data (the right to data portability)

In certain circumstances you have the right to be provided with the personal data that we hold about you in a machine-readable format, e.g. so that the data can easily be provided to a new professional adviser. Further information is available on the ICO website (www.ico.org.uk).

The right to data portability only applies:

- to personal data an individual has provided to a controller;
- where the processing is based on the individual's consent or for the performance of a contract; and
- when processing is carried out by automated means.

We will respond to any data portability requests made to us without undue delay and within one month. We may extend the period by a further two months where the request is complex or a number of requests are received but we will inform you within one month of the receipt of the request and explain why the extension is necessary.

Withdrawal of consent

Where you have consented to our processing of your personal data, you have the right to withdraw that consent at any time. Please inform us immediately if you wish to withdraw your consent.

Please note:

- the withdrawal of consent does not affect the lawfulness of earlier processing
- if you withdraw your consent, we may not be able to continue to provide services to you

- even if you withdraw your consent, it may remain lawful for us to process your data on another legal basis (e.g. because we have a legal obligation to continue to process your data)

Children's Privacy

We do not address or communicate with anyone under the age of 18 ("Children").

We do not knowingly collect personally identifiable information from anyone under the age of 18. If you are a parent or guardian and you are aware that your Children has provided us with personal data, please contact us. If we become aware that we have collected personal data from children without verification of parental consent, we take steps to remove that information from our servers.

Complaints

If you have requested details of the information we hold about you and you are not happy with our response, or you think we have not complied with the GDPR or DPA 2018 in some other way, you can complain to us. Please send any complaints to Kuldip Singh Bhatti (info@kbsolicitors.com). If you are not happy with our response, you have a right to lodge a complaint with the ICO (www.ico.org.uk)