

Privacy notice for clients Probate

Who we are

1. We are **Thomas Dunton Solicitors** and the names of our partners, our address and other contact details are given at the bottom of this letter. We are required by law to give you the details in this letter to let you know how we will use the information you give us.

The lawful basis on which we process your information

2. If you become a client of the firm, then a contract will exist between you and us. Under this contract, we will have obligations towards you and we will need to hold and use your personal information in order to fulfil these obligations. Fulfilling obligations under a contract is a lawful basis for holding and processing your information.
3. If you pass personal information to us, but do not go on to become a client of the firm, then there may not be a contract between us. However, we will still need to hold your information during the course of our discussions and for a short while afterwards. This is so that we can help you to decide whether or not you want to enter into a contract with us and allow you a reasonable time to change your mind. We are allowed to process this information when you are considering entering into a contract with us.
4. If at any time, we are obliged by law to disclose your personal information to a third party (such as a government agency or similar body) then we will do so. The law allows us to do this when we have a legal obligation to disclose information.
5. A summary table of the legal bases on which we hold your data is set out below:

Purposes of processing data	Legal basis of processing
Providing the services requested by you and agreed by contract	Contract basis and consent basis if appropriate
Contacting you with details of other services we provide.	Consent basis
Meeting other legal and regulatory purposes (including inspections by those bodies who regulate or audit us)	Legal obligation basis
Protection against potential legal and other disciplinary action	Legitimate interest basis
Providing the services requested by you and agreed by contract	Contract basis and consent basis if appropriate

We will hold any special category data which we may obtain about you or anyone else under the exemption for legal claims. We are allowed to hold such information where the processing of such data is necessary for the “establishment, exercise or defence of legal claims”. “Claims” in this context includes legal advice, whether or not a matter is contentious.

People to whom we may pass your personal information

6. We will pass any information required to progress your matter to third parties when we consider it reasonable to do so. We anticipate that this may include (but may not be limited to) the following:

Recipient of your information	Type of information to be shared	Reason
<p>Banks, brokers and other providers of financial services.</p> <p>Any other institutions (including the local authority and other public bodies) with whom the person who has died had dealings.</p>	<ul style="list-style-type: none"> • Capacity in which you are acting for the estate (e.g. executor) • A copy of the Will of the person who has died, which may show the share of the estate which you are to receive • A copy of a death certificate for the person who has died, on which you may be named as an informant • A copy of any grant (e.g. grant of probate) obtained • Financial information (e.g. shareholdings) relating to the estate • Any other information which is required for the efficient administration of the estate 	<p>To provide the institutions with the information they need to deal with the assets of the person who has died.</p>
<p>Department for Work and Pensions</p>	<ul style="list-style-type: none"> • A schedule of assets of the person who died. • Any other information requested by them. 	<p>So that they can check that the person who has died was properly entitled to any benefits being claimed by them.</p>
<p>HM Revenue & Customs</p>	<ul style="list-style-type: none"> • Any financial information about the person who has died • Details of assets sold whilst the estate is being administered and their value • Details of interest paid on accounts and dividends received by the estate • Details of distributions made from the estate 	<p>So that HMRC can check that various taxes have been correctly calculated and paid.</p>
<p>Barristers, accountants and other professionals whom we decide to instruct in order to protect your interests or ours</p>	<ul style="list-style-type: none"> • Any information which we are holding on the matter and which we consider reasonable to pass on 	<p>So that they can get a complete picture in order to provide full advice</p>

Third-party contractors	<ul style="list-style-type: none"> Client information held in physical or virtual form 	<p>This may be inevitable when third party contractors are providing services which are required for the running of our business – e.g. IT support.</p> <p>All third-party contractors have signed confidentiality agreements and are bound by the same data protection requirements.</p>
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7. We will not transfer your personal information to a country outside the European Union without first notifying you.
8. We will not use your personal information for the purpose of automatic decision making.
9. Once work on your file has been concluded, the firm will retain your data (both in hard copy and electronically) in accordance with our retention policy. In cases such as yours, your data will normally be stored for thirteen years after the date of death of the estate holder or such longer period as is specifically notified to you on closing your file. After this period has elapsed, your file will be securely destroyed and the electronic records will be deleted. This will take place no later than six months after the end of the stated retention period, unless there is good reason to do otherwise.
10. If we are holding original documents for you in safekeeping (e.g. Wills, title deeds etc) we will retain these indefinitely or for as long as we consider that retention is no longer necessary to protect your interests or ours.
11. You have a right to see any personal information which we hold about you. We will not charge you for providing this.
12. If any personal information which we hold about you is incorrect, you have a right to have this corrected.
13. You have a right to request erasure of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
14. You have a right to object to the processing of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
15. You have the right to request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

16. If you have a complaint at any time about the way in which we are holding or processing your information, you have a right to take this to Information Commissioner's Office. They can be contacted through <https://ico.org.uk/>
17. If you would like to discuss further any aspect of our use of your information with us, please direct your question either to the fee-earner handling your matter or to Alison Routley.