Privacy Notice for Clients

Who we are

1. We are Thomas Dunton Solicitors LLP, a limited liability partnership incorporated in England and Wales. We are a controller under the General Data Protection Regulations and the Data Protection Act 2018. The senior partners (members/owners) are Melanie Dunton and Vernon Hadida. The non-member partners (not owners) are Tessa Bengo, Catherine Crabtree and Maria James. Our address is 217- 219 High Street Orpington BR6 0NZ and our telephone number is 01689 822554. We are required by law to give you the details in this notice to let you know how we will use the information you give us.

What information we collect

2. We will collect information from you which is relevant to the matter we are dealing with. In particular, we might collect the following information from you, which is known as "personal data":

    1. Personal details;
    2. Family, lifestyle and social circumstances;
    3. Financial details;
    4. Business activities.

3. We may also receive information about you from other bodies, such as:

    1. Estate agents;
    2. Claims management companies;
    3. Accountants and other professionals.

    This information will be treated confidentially at all times and will only be used where necessary.

The lawful basis on which we process your information

4. 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.

5. 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.

6. 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.

7. 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 legitimate interest basis
Contacting you with details of other services we provide	Legitimate interest basis and consent basis (which you can withdraw at any time by emailing admin@thomasdunton.co.uk)
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

8. We may also collect information about you which is referred to as being in a "special category". This could include:

    - Physical or mental health details;
    - Racial or ethnic origin;
    - Religious or other beliefs;
    - Criminal convictions;
    - Sexual orientation.

9. 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.

10. In specific circumstances, we require your data to pursue our legitimate interests in a way which may reasonably be expected as part of running our business and which does not materially impact your rights, freedoms or interests. For example, we may contact you to tell you about other services we provide which we think may be of interest to you. You will always have a right to object to receiving further communications.

How we will use your information

11. We may use your information for the following purposes:

    1. Provision of legal services, including advising and acting on behalf of clients
    2. Promotion of our goods and services
    3. Maintaining accounts and records
    4. Supporting and managing staff

When we will share your information

12. Under our Code of Conduct, there are very strict rules about who we can share your information with. This will usually be limited to people who will assist with your matter. This may include barristers, medical experts, courts and tribunals.

13. We may disclose your information when asked to do so for legal or regulatory purposes. This may include disclosures to the Solicitors Regulation Authority and the Legal Ombudsman.

14. External agencies who support our business – for example, IT support – may also have access to your information from time to time. We have ensured that these agencies have entered into confidentiality agreements with us.

15. We will also need to share your information where required to comply with our legal obligations – for example, to confirm your identity.

16. In the course of carrying out the activities referred to above we may transfer your data to other countries, which may not have the same legal protections for your data as the UK.

17. Where data is being transferred outside of the UK and/or European Economic Area, we will take steps to ensure that your data is adequately protected in accordance with UK legal requirements and the EU GDPR (as applicable).

18. We will not use your personal information for the purpose of automatic decision making.

Retention of your data

19. 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 (or such longer period as may be notified to you on closing your file).

    - Data in probate cases will normally be stored for thirteen years after the death of the estate holder;
    - Data in wills cases will be stored indefinitely;
    - Data in all other cases will normally be stored for six years.

    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.

20. 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.

Your Rights

21. Right to Information – You have a right to be informed whether and to what extent we process your personal data.

22. Right of Access - You have a right to see any personal information which we hold about you. We will not charge you for providing this.

23. Right to Rectification - If any personal information which we hold about you is incorrect, you have a right to have this corrected.

24. Right of Erasure/Deletion - 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).

25. Right of Objection to Processing - 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.

26. Right of Restriction of Processing- 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.

27. Data Portability – You have the right to request the personal data you provided to us in a machine-readable format.

28. Automated Decision Making – You have the right to object to decisions based solely on automated processing (including profiling) of your personal data. Please note that (in accordance with clause 18 above) we will not use your personal information for the purpose of automatic decision making.

29. Right to Withdraw Consent – If your personal data is processed on the basis of your consent, you have the right to withdraw your consent at any time. The withdrawal of your consent does not affect the lawfulness of processing based on consent before its withdrawal. Withdrawal of consent does not prevent us from processing your data on other bases (for example, on the basis of legitimate interest or legal obligation).

30. 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/.

31. If you would like to discuss further any aspect of our use of your information, please direct your question either to the fee-earner handling your matter or to the firm's Practice Manager, who is also the firm's Data Protection Officer.