

## ***Andrews Martin Privacy Policy***

- 1.1 Andrews Martin (“we”, “us”, or “our”) are committed to respecting and protecting your privacy.
  - 1.2 This privacy policy (the “Policy”) explains how we will collect, store and use any personal data you provide via our website, email or networking with our people and when you otherwise communicate with us (including in the course of the legal services we provide or the running of our business).
  - 1.3 Our details are as follows:
    - The Data Controller is Andrews Martin, 6 Little London Court, Albert Street, Old Town, Swindon, SN1 3HY.
  - 1.4 This policy may change from time to time and, if it does, the up to date version will always be available on our website and becomes effective immediately.
  - 1.5 This policy contains important information about the way in which we process personal data.**
  - 1.6 For the purposes of this Policy, “**European Data Protection Legislation**” is defined as, for the periods in which they are in force, the European Data Protection Directive 95/46/EC, all laws giving effect or purporting to give effect to the European Data Protection Directive 95/46/EC (such as the Data Protection Act 1998) or otherwise relating to data protection (to the extent the same apply) and, from 25 May 2018, The General Data Protection Regulation (Regulation (EU) 2016/679) (“GDPR”) or any equivalent legislation amending, supplementing or replacing the GDPR.
- ## **2 Information we may collect about you**
- 2.1 We may collect and process information about you and your personal through various means, including:
    - In the course of carrying out work for you (or your business)
    - Via our website (e.g. on our ‘Contact Us’ page, submitting a job application etc.)
    - By email or other electronic correspondence
    - By telephone
    - Networking (e.g. meetings or events either hosted or attended by us)
    - By operating security policies and procedures in our offices
    - Otherwise through providing our legal services or operating our business
  - 2.2 The personal data you give to us may include:
    - Your name and title
    - Contact information, including telephone number, postal address and email address
    - Information relating to your location, preferences and/or interests
    - Employment and job application details , e.g. date of birth, employment history, qualifications, equality monitoring information
    - Photographic identification and video footage
    - In certain circumstances , your and others’ signature(s), National insurance number(s) financial details such as bank account details and details of any relevant sanctions or similar restrictions
    - In certain circumstances, data relating to health (including disabilities), ethnicity, race, religious beliefs, trade union membership and other ‘special category personal data’
    - The content of any enquiry submitted over our website
    - Any other personal data we collect (such as client reference number which may be assigned to you) in the context of our work for our clients or in the course of operating our business
  - 2.3 Each time you visit our website, we may automatically collect the following information:
    - Web usage information (e.g. IP address), your log in information, browser type and version, time zone setting, operating system and platform.
    - Information about your visit, including the full Uniform Resource Locators (URLs) clickstream to, through and from our website (including date and time); time on page, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks and mouse-overs).
    - Location, device and demographic information (Google Analytics provides age range and gender information. Find out more about how google collects demographic data).

2.4 We may ask you for information when you report a problem with our website.

2.5 If you contact us, we may keep a record of that correspondence.

2.6 The personal data described above may relate to any of the following categories of person:

- Our clients and our clients personnel
- Our prospective employees, work experience students or other job applicants
- Those emergency contacts whose details have been provided to us by our people
- Third parties with whom we have contact by virtue of providing legal services (e.g. third party payers of invoices and counterparties on a client's matter)
- Our contacts at our 'preferred firms' or referrers, professional advisors or others with whom we work in the context of our legal services
- Our prospective target clients
- Our contractors and suppliers
- Those with whom we work in the context of our corporate responsibility initiatives
- Those who submit enquiries through our website or whose details are otherwise entered into our client relationship management system
- Any other visitor to our offices.

### **3 Cookie Policy**

3.1 Our website uses cookies to distinguish you from other users, to improve your experience on our website, and, to recommend content that may be of interest to you. For full details on how we use cookies, please see our Cookie Policy.

### **4 How we will use your information**

4.1 we may use your information for the following purposes:

- to respond to any query that you may submit to us
- b) to manage our relationship with you (and/or your business), including by maintaining our database of clients and other third parties for administration, and accounting and relationship management purposes
- c) to complete our contractual obligations to you, or otherwise taking steps as described in our client care terms and/or our Terms of Engagement (including any associated administration)
- d) to carry out any relevant conflict checks, anti-money laundering and sanctions checks and fulfilling our obligation under any relevant anti-money laundering law or regulation (including under The Money Laundering, Terrorist Financing, and Transfer of funds (Information on the Payer) Regulations 2017)
- f) to process any job application you (or your representative) has submitted
- g) to ensure that our websites content is presented in the most effective manner for you and your device
- h) to administer our website and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey responses
- as part of our efforts to keep our website safe and secure
- j) to ensure we appropriately administer any attendance/visits to our offices
- k) to comply with any other professional, legal and regulatory obligations which apply to us or policies that we have in place
- l) as we feel is necessary to prevent illegal activity or to protect our interest

### **5 Legal grounds for processing your information**

5.1 We will rely on the following legal bases under European data protection legislation for processing your personal data:

- a) Performance of, or entry into, a contract. The personal data that we are required to collect in order to comply with any other professional, legal and regulatory obligations which apply to us must be provided to us in order for us to perform this contract – we would not be able to act for you without this personal data.
- b) Compliance with a legal obligation to which we are subject.
- c) We have a legitimate interest in doing so as a legal services provider (and where our legitimate interests are not overridden by your (or the relevant individuals) own interests or fundamental rights or freedoms). These legitimate interest will include our interests in managing our relationship with our clients, administering visits to our offices and ascertaining achievement of proper standards/ compliance with policies, practices or procedures.
- d) Where processing of 'special category data' is necessary in the context of the establishment, exercise or defence of legal claims.

- e) in certain circumstances such as where we need to process 'special category data' in the content of our legal work for outside the scope of paragraph 5.1 (d) above, where we have obtained your express consent to do so. As we will explain at the time we collect your consent, you may withdraw it at any time in accordance with the information we provide to you at that time.

## **6 Sharing your information**

- 6.1 We may share your details with carefully selected third parties. These may include service providers, support services and organisations that help us to market our services and third parties instructed to enable us to fulfil our contractual obligations to you and/or our clients in the course of business
- 6.2 If we share your information with third parties they will process your information as either a data controller or as our data processor and this will depend on the purposes of our sharing your personal data. We will only share your personal data in compliance with the European Data Protection Legislation.
- 6.3 We may disclose your information to third parties when:
- You specifically request this or it is necessary to provide our legal services to you (e.g. when we need to instruct lawyers in another jurisdiction to provide advice which you have requested)
  - b) In the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets
  - c) If our website or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets
  - d) If we are under a duty to disclose or share your personal data in order to comply with any legal obligation or to protect the rights, property or safety of our website, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.
- 6.4 The third parties include
- Our bank (including as permitted by The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 which, for the purposes of preventing money laundering or terrorist financing, may require us to disclose your personal data on request to our bank from time to time where we hold monies in out pooled Client Account on your behalf)
  - b) Our insurers
  - c) Our auditors, Including external bodies
  - d) Other professional advisors or third parties (including counsel, overseas lawyers, accountants, expert witnesses or costs draftsmen) with whom we engage as part of our work for our clients or who our clients separately engage in the same context
  - e) Our regulator, the Solicitors Regulation Authority
  - f) Our data processors providing security, email security, data governance, archiving and other IT and business support services
  - g) Our email website platform provider
  - h) Selected partner digital agencies
  - Analytics and search engine providers that assist us in the improvement and optimisation of our website
  - j) Any third party you ask us to share your data with.
- 6.5 We will not rent or sell our users or other contacts details to any other organisation or individual.

## **7 Storage and retention of your personal data**

7.1 we follow strict security procedures as to how your personal information is stored and used, and who sees it, to help stop any unauthorised person getting hold of it. All personal information you send to us via our website or by email or otherwise will be located behind a firewall. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access. Unfortunately, the transmission of information via the internet is not completely secure and although we do our best to protect your personal data, we cannot absolutely guarantee the security of your data.

7.2 We will keep your information stored on our systems for as long as it takes to provide the services to you and in accordance with our client care letter and Terms of Engagement. We may keep your data for longer than our stated retention period if we cannot delete it for legal, regulatory or technical reasons. We may also keep it for research, preventing conflicts of interests or statistical purposes. If we do we will ensure that appropriate safeguards are in place to protect your privacy and only used for those purposes.

7.3 The third parties we engage to provide services on our behalf will keep your data stored on their systems for as long as is necessary to provide services to you.

7.4 We will, subject to paragraph 7.2, not store your information for longer than is reasonably necessary or required by law.

## **8 Sending your information outside of the EEA**

8.1 If we need to share your personal data with a recipient outside of the European economic Area ('EEA') (e.g. a professional advisor or third party engaged by us or you as part of our work under an engagement letter) we will ensure we do so in compliance with European Data Protection Legislation, including where applicable by ensuring that the transfer is necessary to perform a contract in place with you or a contract entered into in your interests

## **9 Withdrawal of consent**

9.1 Where we process your personal data we do so on the basis when you submitted your personal data to us. You may withdraw your consent to this processing at any time by contacting us at [solicitors@andrewsmartin.co.uk](mailto:solicitors@andrewsmartin.co.uk) or via the web form on our Contact us Page

9.2 If you do withdraw your consent, we may still be able to process some of the data that you have provided to us on other grounds and will notify you of these at such time.

## **10 Your information rights**

10.1 European Data Protection Legislation gives you the right to access information held about you. You are entitled to be told by us whether we or someone else on our behalf is processing your personal information; what personal information we hold; details of the purposes for the processing of your personal information; and details of any third party with whom your personal information has been shared.

10.2 You can access the personal information we hold on you by writing to us at FAO: Andrews Martin, 6 Little London Court, Albert Street, Old Town, Swindon, SN1 3HY. You can also contact us by email at [solicitors@andrewsmartin.co.uk](mailto:solicitors@andrewsmartin.co.uk) or by completing our web form via our contact us page.

10.3 We will ask you to provide proof of identity before we show you your personal information – this is so we can prevent unauthorised access.

10.4 Please note: After 25 May 2018, in the event that an access request is unfounded, excessive or especially repetitive, we may charge a 'reasonable fee' for meeting that request. Similarly, we may charge a reasonable fee to comply with requests for further copies of the same information. (That fee will be based upon the administrative costs of providing the information).

10.5 You have the additional rights to request rectification and erasure of your personal data and to request restriction of, and to otherwise object to, our processing of your personal data and you can exercise these rights at any time by contacting [solicitors@andrewsmartin.co.uk](mailto:solicitors@andrewsmartin.co.uk) or by completing our web form via our Contact us page.

10.6 From 25 May 2018, you will also be entitled to receive the personal data that you have provided to us in a structured, commonly used and machine-readable format, and to transmit that data to another data controller. You can exercise this right from 25 May 2018 by contacting us at [solicitors@andrewsmartin.co.uk](mailto:solicitors@andrewsmartin.co.uk) or by completing our web form via our contact us page.

## **11 Complaints**

11.1 If you consent to us contacting you, we will always aim to be respectful, relevant and appropriate. If at any time you do not think that we have complied with this, please contact us straight away to let us know.

11.2 You also have the right to make a complaint to the Information Commissioners Office. For more details please visit the ICO Website

## **12 Contact**

Questions, comments and requests regarding this Policy should be addressed to [solicitors@andrewsmartin.co.uk](mailto:solicitors@andrewsmartin.co.uk) FAO Patricia Martin.