
Client Privacy Notice

INTRODUCTION

Welcome to Wolferstans client privacy notice. You should also read our website privacy notice which contains additional information.

Wolferstans respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you instruct us to act for you and tell you about your privacy rights and how the law protects you.

Please use the glossary below to understand the meaning of some of the terms used in this privacy notice.

1. IMPORTANT INFORMATION AND WHO WE ARE

2. THE DATA WE COLLECT ABOUT YOU

3. HOW IS YOUR PERSONAL DATA COLLECTED

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1. IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY NOTICE

This privacy notice aims to give you information on how Wolferstans LLP collects and processes your personal data as a client of Wolferstans.

It is important that you read this privacy notice together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

CONTROLLER

Wolferstans LLP is the controller and responsible for your personal data.

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

CONTACT DETAILS

Our full details are:

Full name of legal entity: Wolferstans LLP

Name of DPO: Alisa Willows

Email address: info@wolferstans.com

Postal address: 60-66 North Hill
Plymouth
PL4 8EP

Telephone number: 01752 663295

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES

This version was last updated on 28 November 2022 and historic versions are archived [here](#) or can be obtained by [contacting us](#).

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Case Data** includes information disclosed to us during the course of the legal proceedings you instruct us to deal with.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting

and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.

- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

Special Categories of Personal Data may also be collected and processed in the course of your instructions to us (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). We may also collect any information about criminal convictions and offences. For additional considerations, please see the table below.

IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, app, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our products or services;
 - instruct us to represent you in legal proceedings or to provide advice;
 - choose to use our app by downloading it;
 - create an account on our website;
 - subscribe to our service or publications;
 - request marketing to be sent to you;
 - enter a competition, promotion or survey; or
 - give us some feedback.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
 - identity checking services;
 - experts or professional advisors connected to your matter;
 - regulatory or public bodies such as HMRC, police, NHS, education providers.

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

Generally we do not rely on consent as a legal basis for processing your personal data.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please [Contact us](#) if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

| Purpose/Activity | Type of data | Lawful basis for processing including basis of legitimate interest |
|--|---|--|
| To register you as a new client | (a) Identity (b) Contact | a) Performance of a contract with you b) Necessary for our legitimate interests (to run a compliant law firm) c) Necessary to comply with a legal obligation (performing necessary checks for regulatory purposes) |
| To process and deliver your services including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us (c) Assessing and/or progressing your matter | (a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications | (a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us) (c) Necessary to comply with a legal obligation (AML and sanctions checks) (d) Special Category Data and any criminal data – additional condition of legal claims and judicial acts including the obtaining of legal advice. |
| Processing and delivering our services through an app including: | (a) Identity (b) Contact | (a) Consent (b) Special Category Data and any criminal data |

| | | |
|---|--|---|
| <p>(a) Manage payments, fees and charges</p> <p>(b) Collect and recover money owed to us</p> <p>(c) Assessing and/or progressing your matter</p> | <p>(c) Financial</p> <p>(d) Transaction</p> <p>(e) Marketing and Communications</p> | <p>– additional condition of Explicit Consent.</p> <p>NB. Data processed through the app is a copy of data held under separate grounds, as above, which does not rely upon consent.</p> |
| <p>To manage our relationship with you which will include:</p> <p>(a) Notifying you about changes to our terms or privacy policy</p> <p>(b) Asking you to leave a review or take a survey</p> | <p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Marketing and Communications</p> | <p>(a) Performance of a contract with you</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)</p> |
| <p>To enable you to partake in a prize draw, competition or complete a survey</p> | <p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p> | <p>(a) Performance of a contract with you</p> <p>(b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)</p> |
| <p>To make suggestions and recommendations to you about goods or services that may be of interest to you</p> | <p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p> <p>(d) Usage</p> <p>(e) Profile</p> | <p>Necessary for our legitimate interests (to develop our products/services and grow our business)</p> |

MARKETING

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. You have the right to withdraw consent to marketing at any time by [Contacting us](#).

PROMOTIONAL OFFERS FROM US

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.

THIRD-PARTY MARKETING

We will not share your personal data with any company outside Wolferstans and those suppliers who work with us to provide the services we provide to you.

OPTING OUT

You can ask us or third parties to stop sending you marketing messages at any time by [Contacting us](#) at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of the client contract between us, a product/service purchase, product/service experience or other transactions.

CHANGE OF PURPOSE

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please [Contact us](#).

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- External Third Parties as set out in the Glossary below.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice. We would seek your consent in advance if this was to happen in accordance with our regulatory requirements.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. INTERNATIONAL TRANSFERS

We do not transfer your personal data outside the European Economic Area (**EEA**) unless an equivalent data arrangement has been identified through adequacy regulations or equivalent and a DPIA (or Assessment of High Risk Processing) has been completed.

7. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. DATA RETENTION

HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by [Contacting us](#). We keep this information with reference to the period when an insurer, regulator or auditor might request the data. Generally, it is for a minimum of six years.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see Request erasure below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

9. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please read the glossary to find out more about these rights:

- *Request access to your personal data.*
- *Request correction of your personal data.*
- *Request erasure of your personal data.*
- *Object to processing of your personal data.*

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- *Request restriction of processing your personal data.*
 - *Request transfer of your personal data.*
 - *Right to withdraw consent.*

If you wish to exercise any of the rights set out above, please [Contact us](#).

NO FEE USUALLY REQUIRED

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

TIME LIMIT TO RESPOND

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. GLOSSARY

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by [Contacting us](#).

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

Consent: means you have given clear consent for you to process your personal data for a specific purpose.

THIRD PARTIES

EXTERNAL THIRD PARTIES

- Service providers acting as processors based in the United Kingdom who provide IT and system administration services including website and marketing services, ID checking and credit reference services, costing, debt collection,

process service and/or detective services and other third party service providers who assist professional services firms in their legitimate operations.

- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors, experts and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

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