

Privacy Notice

Privacy Statement Relating to the Use of Personal Data

1. Introduction

1.1 We take your privacy very seriously and we ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

1.2 When we use your personal data we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal data for the purposes of the GDPR. Our use of your personal data is subject to your instructions, the GDPR, other relevant UK and EU legislation and our professional duty of confidentiality.

2. Key Terms

We, us, our	John M Lewis & Co Ltd and John M Lewis & Partners
DPO	Data Protection Officer
Personal data	Any information relating to an identified or identifiable individual
Sensitive Personal Data	All data within the Special category below with the addition of data relating to your finances, social and family circumstances
Special category personal data	Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership Genetic and biometric data Data concerning health

3. The personal information we collect from you and use

The information below sets out the personal data we will or may collect in the course of dealing with your enquiry and then advising and/or acting for you.

Personal data we will collect

Personal data we may collect depending on the nature of your enquiry and then should you instruct us

- Your name, address and telephone number
 - Information to enable us to check and verify your identity, e.g. your date of birth or passport details
 - Electronic contact details, e.g. your email address and mobile phone number
 - Information relating to the matter in which you are seeking our advice or representation
 - Information to enable us to undertake a credit or other financial checks on you
 - Your financial details so far as relevant to your instructions, e.g. the source of your funds if you are instructing on a purchase transaction
 - Information about your use of our IT, communication and other systems, and other monitoring information, e.g. if using our secure online client portal
- Your National Insurance and tax details
 - Your bank and/or building society details
 - Details of your spouse/partner and dependants or other family members, e.g. if you instruct us on a will

This personal data is required to enable us to provide our service to you. If you do not provide the personal data we ask for, it may delay or prevent us from providing services to you.

4. How your personal data is collected

We collect most of this information from you, direct or via our secure online client portal. However, we may also collect information:

- 4.1 From publicly accessible sources, e.g. Companies House or HM Land Registry;
- 4.2 Directly from a third party, e.g.:
 - 4.2.1 HM Home Office Sanctions screening providers;
 - 4.2.2 Credit reference agencies;
 - 4.2.3 Client due diligence providers;
- 4.3 From a third party with your consent, e.g.:
 - 4.3.1 Your bank or building society, another financial institution or adviser;
 - 4.3.2 Consultants and other professionals we may engage in relation to your matter;
- 4.4 Via our website:
 - 4.4.1 When you contact us through our online enquiry forms.
 - 4.4.2 When you use our website for acquiring information, including but without limitation conveyancing quotations

- 4.4.3 We use cookies on our website (our Cookie Policy can be found below)
- 4.4.4 Website links – our website may contain links to other websites. Please note that we are not responsible for the privacy practice of such other websites and advise you to read the privacy statements of each website you visit which collects personal data;

4.5 Via our information technology (IT) systems, e.g.:

- 4.5.1 Case management and document management
- 4.5.2 Automated monitoring of our websites and other technical systems, such as our computer networks and connections, communications systems, email and instant messaging systems;

4.6 Cookie Policy

Use of Cookies

On occasion, we may gather information about your computer for our services and to provide statistical information regarding the use of our website.

Such information will not identify you personally it is statistical data about our visitors and their use of our site. This statistical data does not identify any personal details whatsoever.

Similarly to the above, we may gather information about your general internet use by using a cookie file. Where used, these cookies are downloaded to your computer automatically. This cookie file is stored on the hard drive of your computer as cookies contain information that is transferred to your computer's hard drive. They help us to improve our website and the service that we provide to you.

All computers have the ability to decline cookies. This can be done by activating the setting on your browser which enables you to decline the cookies. Please note that should you choose to decline cookies, you may be unable to access particular parts of our website.

5. How and why we use your personal data

5.1 Under data protection law, we can only use your personal data if we have a proper reason for doing so, e.g.:

- 5.1.1 To comply with our legal and regulatory obligations;
- 5.1.2 To facilitate the performance of our contract with you, to deal with your enquiry or to take steps at your request before entering into a contract;
- 5.1.3 For our legitimate interests or those of a third party; or
- 5.1.4 Where you have given consent.

5.2 A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

5.3 The table below explains what we use (process) your personal data for and our reasons for doing so:

What we use your personal data for	Our reasons
To deal with your initial enquiry and provide legal and/or financial advice services to you	For the performance of our contract with you or to take steps at your request before entering into a contract
To process your request to be subscribed to our mailings	To take steps with your consent to accepting you as a recipient of our email bulletins containing information we believe will be of interest to you from time to time
<ul style="list-style-type: none"> – Conducting checks to identify our clients and verify their identity – Screening for financial and other sanctions or embargoes – Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health and safety regulation or rules issued by our professional regulator 	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, e.g. policies covering security and internet use	For our legitimate interests or those of a third party, e.g. to make sure we are following our own internal procedures so we can deliver the best service to you
Operational reasons, such as improving efficiency, training and quality control	For our legitimate interests or those of a third party, e.g. to be as efficient as we can so we can deliver the best service for you at the best price
Ensuring the confidentiality of commercially sensitive information	– For our legitimate interests or those of a third party, e.g. to protect our intellectual property and other commercially valuable information

	– To comply with our legal and regulatory obligations
Statistical analysis to help us manage our practice, e.g. in relation to our financial performance, client base, work type or other efficiency measures	For our legitimate interests or those of a third party, e.g. to be as efficient as we can so we can deliver the best service for you at the best price
Preventing unauthorised access and modifications to systems	– For our legitimate interests or those of a third party, e.g. to prevent and detect criminal activity that could be damaging for us and for you – To comply with our legal and regulatory obligations
Updating and enhancing client records including the Training & Development of our staff to ensure a Quality Service and comply with our external accreditations	– For the performance of our contract with you or to take steps at your request before entering into a contract – To comply with our legal and regulatory obligations – For our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our clients about existing and new services
Statutory returns	To comply with our legal and regulatory obligations
Ensuring safe working practices, staff administration and assessments	– To comply with our legal and regulatory obligations – For our legitimate interests or those of a third party, e.g. to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you
Marketing our services and those of selected third parties to:- — existing and former clients; — prospective clients who have previously expressed an interest in our services; — prospective clients with whom we have had no previous dealings but who may be interested in our services.	For our legitimate interests or those of a third party, e.g. to promote our business to existing and former clients and non-clients who may be interested in our services. We will not sell your contact details to other organisations, or pass your details across to other selected parties without your consent.
Credit reference checks via external credit reference agencies	For our legitimate interests or a those of a third party, e.g. for credit control and to ensure our clients are likely to be able to pay for our services
External audits and quality checks, e.g. for quality	– For our legitimate interests or a those of a third party, e.g. to

accreditation's, such as, but not limited to CLC checks, IPW checks and the audit of our client and office accounts	maintain our accreditation's so we can demonstrate we operate at the highest standards – To comply with our legal and regulatory obligations
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5.4 This table explains what, in addition to the above, we use (process) your special category personal data for and our reasons for doing so:

What we use your special category personal data for	Our reasons
Where processing is necessary for the establishment, exercise or defence of legal claims	To comply with our legal and regulatory obligations and for our legitimate interests in the performance of our contract with you
Where processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	To comply with our legal and regulatory obligations and for our legitimate interests in the performance of our contract with you

6. Promotional communications

6.1 We may use your personal data to send you updates (by email, text message, telephone or post) about legal developments that might be of interest to you and/or information about our services, including exclusive offers, promotions or new services or products.

6.2 We have a legitimate interest in processing your personal data for promotional purposes (see above *'How and why we use your personal data'*). However, where consent is needed, we will ask for this consent separately and clearly.

6.3 We will always treat your personal data with the utmost respect and never share it with other organisations outside our group for marketing purposes unless you have specifically consented to this.

6.4 You have the right to opt out of receiving promotional communications at any time by:

- 6.4.1 Emailing us
- 6.4.2 Using the 'unsubscribe' link in emails you receive from us or 'STOP' number in texts

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

7. Who we share your personal data with

7.1 We routinely share personal data with:

- 7.1.1 Professional advisers who we instruct on your behalf or refer you to, e.g. barristers, medical professionals, accountants, tax advisers or other experts;

- 7.1.2 Other third parties where necessary to carry out your instructions, e.g. your mortgage provider or HM Land Registry in the case of a property transaction or Companies House;
- 7.1.3 Our group companies;
- 7.1.4 Credit reference agencies;
- 7.1.5 Our insurers and brokers;
- 7.1.6 External auditors, e.g. in relation to accreditation's and the audit of our accounts;
- 7.1.7 Our bank;
- 7.1.8 External service suppliers, representatives and agents that we use to make our business more efficient, e.g. typing services, support services, marketing agencies, document collation or analysis suppliers;

7.2 We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers to ensure they can only use your personal data to provide services to us and to you.

7.3 We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

7.4 We may also need to share some personal data with other parties, such as potential buyers of some or all of our business or during a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

8. Where your personal data is held

8.1 Information may be held at our offices and those of our Group, third party agencies, service providers, representatives and agents as described above (see *'Who we share your personal data with'*).

8.2 Some of these third parties may be based outside the European Economic Area (EEA). For more information, including on how we safeguard your personal data when this occurs, see below: *'Transferring your personal data out of the EEA'*.

9. How long your personal data will be kept

9.1 We will keep your personal data after we have finished dealing with your enquiry, advising or acting for you. We will do so for one of these reasons:

- 9.1.1 To respond to any questions, complaints or claims made by you or on your behalf;
- 9.1.2 To show that we treated you fairly;
- 9.1.3 To keep records required by law.

9.2 We will not retain your data for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of data.

9.3 When it is no longer necessary to retain your personal data, we will delete or anonymise it.

10. Transfer of your information out of the EEA

10.1 To deliver services to you, it is sometimes necessary for us to share your personal data outside the EEA, e.g.:

- 10.1.1 With your and our service providers located outside the EEA;
- 10.1.2 If you are based outside the EEA;
- 10.1.3 Where there is an international dimension to the matter in which we are advising you.

10.2 These transfers are subject to special rules under European and UK data protection law.

11. Your rights

You have the following rights, which you can exercise free of charge:

To Be Informed	The right to be informed about the collection and use of your personal data which is the purpose of this Privacy Notice
Access	The right to be provided with a copy of your personal data (the right of access)
Rectification	The right to require us to correct any mistakes in your personal data
To be forgotten	The right to require us to delete your personal data—in certain situations
Restriction of processing	The right to require us to restrict processing of your personal data—in certain circumstances, e.g. if you contest the accuracy of the data
Data portability	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
To object	The right to object: —at any time to your personal data being processed for direct marketing (including profiling); —in certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests.
Not to be subject to automated individual decision-making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you

For further information on each of those rights, including the circumstances in which they apply, please contact us or see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation](#).

If you would like to exercise any of those rights, please:

11.1 Make a written data subject request

11.2 Email, call or write to us and in either case ensuring you:

– 11.2.1 Let us have enough information to identify you, e.g. your full name, address and client or matter reference number);

– 11.2.2 Let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and

– 11.2.3 Let us know what right you want to exercise and the information to which your request relates.

12. Keeping your personal information secure

12.1 We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

12.3 If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

13. How to complain

13.1 We hope that our Privacy Standards Team can resolve any query or concern you raise about our use of your information.

13.2 The [General Data Protection Regulation](#) also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

14. Changes to this privacy notice

14.1 This privacy notice was published on 22 May 2018.

14.2 We may change this privacy notice from time to time. You should check this policy occasionally to ensure you are aware of the most recent version.

15. How to contact us

15.1 Please contact our Data Protection Officer if you have any questions about this privacy notice or the information we hold about you.

15.2 Contact details are as follows:

Mrs Julie Rock

Telephone number: 01332 292204

Email address: julierock@johnmlewis.co.uk