ADAMS DELMAR GDPR PRIVACY POLICY

1. **Context and Background**

   In the modern world, it would be unthinkable for any business involved in a service industry (in our case, the provision of legal services) to carry on its business without the collation of personal information about our clients and prospective clients. This policy is intended to provide an explanation of what information we collect, how we use it, how we keep it secure and the extent to which it may be disclosed to others.

   This policy is be made available on our website, www.adamsdelmar.co.uk, and it is intended that all new clients should be made aware of it together with any other terms and conditions that cover the work we are carrying out on their behalf.

2. **The Firm/Business**

   Adams Delmar Solicitors of 56 Ashley Road Hampton TW12 2HU is a sole practitioner legal practice, authorised and regulated by the Solicitors Regulation Authority under number 67265, currently with four solicitors working out of our office in Hampton. The principal of the firm is John Adams. Our main areas of work are residential conveyancing, lasting powers of attorney, wills and probate.

   Under the GDPR, we may be referred to as a "data controller". Our data information officer is John Adams, whose email is john.adams@adamsdelmar.co.uk. Having considered the provisions of GDPR and the advice of the Law Society, and having regard to the relatively small size of our firm and the type of work we undertake, it is not deemed necessary for this firm to appoint a Data Protection Officer and none is designated at this time.

3. **Types of Personal Data Collected**

   Mostly this will depend on what we have been asked to do on our clients' behalf, but:

   a. for the vast majority of our work, this will be limited to simple personal data for our clients or the immediate members of their family, such as names, addresses, gender, dates of birth, contact details, limited financial information;

   b. sometimes, we may also hold more sensitive information such as sexual orientation, health data, issues within the family.

   In most of our work, we need only be concerned with the relatively simple information required to deal effectively with our clients' case and to carry out appropriate ID checks.

4. **Sources of the Information We Work With**

Our clients may provide us with information about themselves or with information relating to someone else, say a member of their immediate family.

The great majority of the information we hold is, or has been, provided by our clients themselves, but occasionally we may be in receipt of information about them from banks, building societies or financial institutions (for example contained in mortgage instructions).

5. **Reasons for Obtaining and Retaining Information**

The primary reason why we need to obtain and retain any information is to enable us to conduct our work efficiently and to comply with regulations under which we must operate, such as the Solicitors Regulation Authority, the Law Society, and the Money Laundering laws and regulations.

Here are some examples:

a. To prepare or approve documentation on our clients' behalf, for example, a conveyancing contract or to prepare someone's will;
b. To assist us to verify a client or a beneficiary's identity;
c. To communicate with a client whether by email telephone or post;
d. To obtain insurance policies on our client's behalf;
e. Processing any legal transaction;
f. Keeping financial records of our clients' transactions;
g. Enabling us to deal with follow up enquiries or complaints after the conclusion of a matter.

6. **Uses to Which We Will NOT Put Any Information Received from Our Clients**

Our clients may rest assured that information that we receive on their behalf will be retained on a confidential basis to the extent that the law permits. **The data or information will not be shared with or sold to any third parties or other agencies for financial gain.**

7. **Access to the Information**

Just as we will not sell or rent information about our clients to third parties, we will not share our clients' information for marketing purposes. We have systems in place to ensure the safe processing of our instructions and of the data itself. In connection with the work we carry out we may need to disclose or share some of the data, for example:

a. HM Land Registry to register a property;
b. HMRC for stamp duty or inheritance tax or income tax returns;
c. An independent Barrister or Solicitor agent if they are assisting us in a case;
d. External auditors or the Solicitors Regulation Authority, or any disclosure required by law or regulation such as the Money Laundering legislation;
e. Businesses carrying ID checks on our behalf.

There may be some cases where a client's specific consent to the release of such information is required and, in that case, we shall contact the client directly for this.

8. **Protection of Your Personal Data**

We recognise that this information is important, and we take all reasonable steps to protect it. Our staff are trained in the areas in which they work and are very conscious of the need for confidentiality and cyber security. For a small firm, we have substantial computer safeguards in place, including firewalls, password protections, different programs that assist with identifying and dealing with malware and viruses, and for checking the authenticity of all enclosures sent to us electronically. We are confident in our computer network that has been installed, developed, regularly upgraded where appropriate and maintained by the same technology support company for almost twenty years. Our premises are also locked and alarmed outside of office hours.

9. **Retention of Data**

We generally retain information for as long as reasonably necessary having regard to the following:

a. Wills and related documents may be kept until the death of the testator or indefinitely;

b. Deeds relating to unregistered property for as long as we are asked to, again this could be indefinitely as they potentially evidence ownership;

c. Probate matters may be retained at least until the surviving spouse or partner dies in order to deal for example with transferable IHT allowances;

d. Trust documents for the duration of the trust plus 7 years;

e. In most cases, there is a physical file that we retain for at least 6 years after closure (we are required so to do), and then usually this would be sent for shredding as confidential waste shortly thereafter. There is also a virtual computer file which will contain some but not all of the case information and this is very helpful for referencing enquiries from the clients themselves about earlier transactions in which we may have been involved.

10. **Access to and Correction of the Information**

Our clients have the right to request a copy of the information that we hold about them. A client who would like a copy of some, or all, of the information held about them may email john.adams@adamsdelmar.co.uk or write to us at the firm's address detailed above. We want to make sure that our clients' personal information is accurate and up to date. A client or former client may ask us to correct or remove information that is inaccurate. Clients also have the right to erasure of the data and the right to be forgotten but these rights only apply in limited and defined circumstances. If you require more information on this, please ask.

11. Issues or Complaints Concerning the Handling of Personal Data

If anyone wishes to raise an issue or complaint concerning our handling of personal data, please contact our Data Information Officer, who is John Adams, who will seek to assist you. His email address is detailed above. If unresolved, it is possible for a complaint to be made to the Information Commissioner's Office (ICO).

12. Changes to this Policy

We shall keep this policy under regular review, and we will update the policy on the Adams Delmar webpage as and when any changes are made. This policy was last updated on 26th June 2024.

Adams Delmar

26th June 2024