

Stapleton Gardner & Company

Solicitors

DATA PROTECTION POLICY

Stapleton Gardner Limited (Company Registration Number: 9067108) ('the **Company**'), trading as Stapleton Gardner & Co Registered office: Stoneleigh House, Commercial Street, Morley, Leeds LS27 8HN is a law firm and provides legal advice and assistance to its clients. It is regulated by the Law Society of England and Wales.

The Personal Data that the Company possesses to provide these services relates to its clients and other individuals as necessary, including staff and supplier staff.

The Company ensures a good data protection practice is embedded in the culture of its staff and the organization.

This policy sets out the Company's commitment to ensuring that any personal data, including special category data, which it processes, is carried out in compliance with data protection law. 'Data Protection Law' includes the General Data protection Regulation (EU 2016/679); the Data Protection Act 2018 and all relevant EU and UK data protection legislation.

As a data controller, the Company will take all the necessary steps to comply with Data Protection Law when handling any personal data which you may provide to us. If you have any questions about this Data Protection Policy, or about how we handle your personal information, please contact David Scott at the above address, or on 0113253811 or at david.scott@stapleton-gardner.co.uk

Why and how do we use your personal information?

When you submit an enquiry to us through our website, we may collect personal data from you. Examples would be your name, postal address, telephone number and/or email address. You may also provide your personal data to us if you ask us to provide services to you.

Provided that we have obtained your consent, to the extent we are required under Data Protection Law, we may use the information we receive and/or collect about you to:

- Respond to any queries you submit through the website
- Fulfil our obligations under any contract we have entered into with you and to provide you with information, products and services that you have requested

If we are unable to rely on legitimate interests or any other grounds set out in the Data Protection Law to process your personal data, we will obtain consent from you before processing.

Please note that we may process your personal information without your consent, in compliance with this policy, where this is required or permitted by law.

If we require your personal data to fulfil a contract with you, we may be unable to fulfil that contract without your personal data.

Data protection principles

Under the Data Protection Law, there are six data protection principles that the Company must comply with. These provide that the personal information we hold about you must be:

1. Processed lawfully, fairly and in a transparent manner.
2. Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to those purposes.
4. Accurate and, where necessary, kept up to date.
5. Kept in a form which permits your identification for no longer than is necessary for those purposes.
6. Processed in a way that ensures appropriate security of the data.

The Company is responsible for, and must be able to demonstrate compliance with, these principles. This is called accountability. The Company will ensure that all staff who handle personal data on its behalf are aware of their responsibilities under this policy and other relevant data protection and information security policies, and that they are adequately trained and supervised.

Data subject rights

The Company has processes in place to ensure that it can facilitate any request made by an individual to exercise their rights under Data Protection Law. All staff has received training and are aware of the rights of data subjects. Staff can identify such a request and know who to send it to.

All requests will be considered without undue delay and within one month of receipt as far as possible.

Subject access

This means the right to request information about how personal data is being processed, including whether personal data is being processed and the right to be allowed to access that data and to be provided with a copy of that data along with the right to obtain the following information:

- The purpose of the processing.
- The categories of personal data.

- The recipients to whom data has been disclosed or which will be disclosed.
- The retention period.
- The right to lodge a complaint with the Information Commissioners Office at <https://ico.org.uk/concerns> their telephone number is 0303 123 1113.
- The source of the information if not collected direct from the subject, and
- The existence of any automated decision making.

Rectification

This means right to allow a data subject to rectify inaccurate personal data concerning them.

Erasure

This means the right to have data erased and to have confirmation of erasure, but only where:

- The data is no longer necessary in relation to the purpose for which it was collected, or
- Where consent is withdrawn, or
- Where there is no legal basis for the processing, or
- There is a legal obligation to delete data.

Restriction of processing

This means the right to ask for certain processing to be restricted in the following circumstances:

- If the accuracy of the personal data is being contested, or
- If the Company's processing is unlawful but the data subject does not want it erased, or
- If the data is no longer needed for the purpose of the processing, but it is required by the data subject for the establishment, exercise or defence of legal claims, or
- If the data subject has objected to the processing, pending verification of that objection.

Data Portability

This means the right to receive a copy of personal data which has been provided by the data subject and which is processed by automated means in a format which will allow the individual to transfer the data to another data controller. This would only apply if the company was processing the data using consent or on the basis of a contract.

Object to processing

This means the right to object to the processing of personal data relying on the legitimate interests processing condition unless the Company can demonstrate compelling legitimate grounds for the processing which override the interests of the data subject, or for the establishment, exercise or defence of legal claim.

Special category personal data

This includes the following personal data revealing:

- Racial or ethnic origin.
- Political opinions.
- Religious or philosophical beliefs.
- Trading Union membership.
- The processing of generic data, biometric data for the purpose of uniquely identifying a natural person.
- An individual's health.
- A natural person's sex life or sexual orientation.
- Criminal convictions or offences.

The Company processes special category data of clients and third parties as is necessary to provide legal services for the establishment, exercise or defence of legal claims.

The Company processes special category data of employees as is necessary to comply with employment and social security law. This policy sets out the safe guards the Company believes are appropriate to ensure that it complies with the Data Protection principles set out above. The Company also has a Data Retention Policy which sets out how long special category data will be retained.

Transferring personal information outside the European Economic Area

The Company will not transfer your personal information to countries outside the European Economic Area.

Changes to this privacy policy

The Company reserves the right to update or amend this privacy policy at any time without notice, and it is your responsibility to revisit this page from time to time to re-read this policy. Any revised terms are effective as at the date of posting.

Contact

If you have any questions about this privacy notice or how we handle your personal information, please contact David Scott whose contact details appear at the beginning of this policy.

1 November 2018