

Privacy Policy

1. INTRODUCTION

This policy summarises the key points about how Rix & Kay Solicitors LLP (the firm) collects, uses and discloses personal data and ensures compliance with the relevant laws and regulations.

2. WHAT IS PERSONAL DATA?

Personal data is information that relates to an individual and from which he or she can be identified either directly or indirectly through other data which the firm has or is likely to have in its possession. These individuals are referred to as data subjects.

3. RESPONSIBILITIES

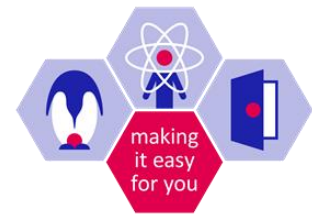
- The firm is the data controller of the personal data we process and therefore is responsible for ensuring our systems, processes, suppliers and personnel comply with data protection laws in relation to the information we handle.
- All personnel must abide by this policy when handling personal data and must take part in any required data protection training. Any breach will be taken seriously and may result in disciplinary action.
- Our Compliance Officer for Legal Practice (COLP) oversees compliance with our professional responsibilities and the reporting of any failures to comply with legislative requirements, including data protection.

4. PRINCIPLES OF DATA PROTECTION

The firm has adopted the following principles to govern our use, collection and disclosure of personal data. These principles have been established to create a uniform standard across our offices.

The firm's core principles provide that personal data must:

- be processed **fairly** and **lawfully** and to the extent required by law with valid and informed **consent**;
- be obtained for specific and **lawful purposes**;
- be kept **accurate** and **up to date**;
- be **adequate**, **relevant** and **not excessive** in relation to the purposes for which it is used;
- **not be kept for longer than is necessary** for the purposes for which it is used;
- be processed **in accordance with the rights of data subjects**; (see paragraph 6)



- be **kept secure** to prevent unauthorised processing and accidental loss, damage or destruction.

5. COLLECTION, USE AND DISCLOSURE OF PERSONAL DATA

As a firm the type of data we collect and process falls into one of the following categories: -

- personal data about our contacts (including client contacts);
- personal data in matters we handle for clients; and
- personal data relating to personnel.

A summary of how we collect and use personal data and definitions of terms used in this policy can be found in the appendices to this policy.

6. DATA SUBJECT RIGHTS

Personal data must be processed in line with data subjects' rights, including the right to:

- request a copy of their personal data;
- request that inaccurate personal data is corrected;
- request that personal data is deleted and destroyed when causing damage or distress; and
- opt out of receiving electronic communications from the firm.

An individual wishing to make a request in line with their rights as a data subject, should write to Rix & Kay Solicitors LLP, PO Box 468 Uckfield TN22 9GQ or email: enquiries@rixandkay.co.uk or telephone to speak to the Quality & Compliance Manager(QCM) .

Personnel must notify or inform the Data Protection team immediately if they receive a request in relation to personal data which the firm processes.

7. HOW TO MAKE A COMPLAINT

You should direct all complaints relating to how the firm has processed personal data to the Compliance Officer for Legal Practice, Rix & Kay Solicitors LLP, PO Box 468 Uckfield TN22 9GQ or email kathrynpaisley@rixandkay.co.uk.

Personnel must inform the COLP immediately if they receive a complaint relating to how the firm has processed personal data in order that the firm's complaints procedure can be followed.

An individual may also seek advice relating to how the firm has processed personal data from the Information Commissioners Office. They can be contacted via live chat on www.ico.org.uk or by telephone on 0303 123 1113.

8. SECURITY

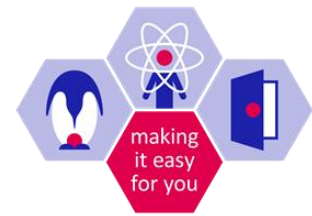
Information security is a key element of data protection. The firm takes appropriate measures to secure personal data and protect it from loss or unauthorised disclosure or damage. It is a requirement that all personnel comply with both the firm's Information Management & Security Policy and the Data Protection Policy.

Appendices:

- A: Client Matters
- B: Contacts / Clients / Personnel
- C: Retention periods
- D: Definitions

A

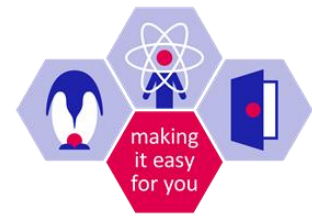
Client Matters	
Types of data	Personal data about individuals named in matters on which we are advising.
Collection	Data that is supplied to us or created by us in connection with a particular matter on which we are advising.
Use	Any personal data will be used for the purposes of providing legal services and to comply with our statutory/ regulatory obligations
Disclosure	<p>Personal data:</p> <p>We will disclose your information only to other parties to whom it is necessary to do so in furtherance of your instructions and in accordance with our regulatory or legal obligations. We routinely share personal data with:</p> <ul style="list-style-type: none"> • Professional advisers who we instruct on your behalf or refer you to, e.g. barristers, medical professionals, accountants, tax advisors or other experts; • 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; • Credit reference agencies; • Our banks; • Our insurers and brokers;



	<ul style="list-style-type: none"> • External auditors, e.g. in relation to ISO accreditation and the audit of our accounts; • External service suppliers who are subject to an outsourcing agreement, used to make our business more efficient, e.g. typing services, electronic scanning and secure document destruction; <p>Where your information is shared in this manner, the parties with whom it is shared will also be under an obligation to keep your information secure and to use it only for the purpose for which it was disclosed.</p>
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B

Contacts/Non-Clients	
Types of data	<p>Information such as name and business information (email address, job title, who you work for).</p> <p>Additional information may be processed where it is provided by you, for example in correspondence, in connection with an event or in letting us know what areas you are interested in. This may include access or dietary requirements which may reveal information about your health or religious beliefs.</p>
Collection	<p>When you register to receive legal updates or we otherwise receive your contact details your data is added to our Client Relationship Management (CRM) database. You will be provided with the option to opt out and/ or be removed from the CRM with each marketing communication you receive from us.</p> <p>Where contacts are also clients, further information will be collected e.g. to verify your identity, as part of the client intake process, including from third parties, such as publicly available sources.</p>
Use	<p>If you have opted to receive marketing communication from us, we will use your personal data to complete any request you may make and may contact you for promotional and marketing purposes, e.g. about legal updates, news, events and seminars. Where contacts are also clients, further information will be collected for the purpose of providing professional services (e.g. creditworthiness) and as required by law (e.g. anti-money laundering).</p>
Disclosure	<p>Personal data:</p> <ul style="list-style-type: none"> • may be transferred to our affiliates and service providers, as processors, who support the operation of our business; • data shared with service providers will be limited to that which is required for providing the service and will be adequately protected;



	<ul style="list-style-type: none"> data will not be given to other third parties, apart from in limited circumstances such as, where we run a joint seminar and you book onto it.
Personnel	
Types of data	Personal data such as name, address, contact details, education and employment history; information relating to next of kin/ dependants; financial information including bank details and National Insurance numbers. Also we may process special category data, revealing sensitive information such as health details, racial origin, religious beliefs and information about offences/ alleged offences.
Collection	Personal data will be collected from a number of sources including your application form/CV; notes and records kept throughout your employment including absences, expenses claims, questionnaires, performance reviews and details of any grievances/ disciplinary action.
Use	<p>Any personal data will be used for human resources administration and management purposes.</p> <p>Photographs, education and career information may be used in marketing and promotional material for the firm including our website, brochures and tender bids.</p>
Disclosure	<p>Personal data:</p> <ul style="list-style-type: none"> may be transferred to our affiliates and service providers, as processors, who support the operation of our business; data shared with service providers will be limited to that which is required for providing the service and will be adequately protected; data will not be shared to other third parties, unless in accordance with our regulatory or legal obligations.

C

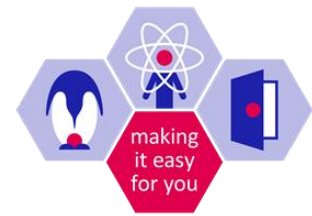
The data may be retained for a further period if there is specific legislation that requires it to be held for a further period.

Client Information	
Information	Retention Period
All Client Case/Matter Files (Save for those detailed below)	21 years after the last activity on the file (typically payment of bill, closure and archive). If the firm has

	acted for a person under 18, the file will be kept for 6 years after the client has turned 18.
Private client matters, LPAs, Pre-nuptial agreements	100 years
<p>Original documents:</p> <p><i>(please note that this list is not inclusive)</i></p> <ul style="list-style-type: none"> • Unregistered property deeds • Mortgage deeds (including assignment of mortgage)/legal charge, where unregistered title • Abstract of title • Lease documents • Power of attorney/ court of protection deputy • Tenancy agreement • Grave deeds • Share certificates/bonds • Will/codicil • Deed of gift/trust • Statutory declaration • Life assurance/ mortgage of life/ endowment policies • Mortgage of life policy • Guarantee certificate • Personal effects/ valuables 	<p>100 years</p> <p>Or store lease for at least the term</p> <p>Or store for at least term of tenancy</p>
Other original documents (if not returned to client):	100 years

<i>(please note that this list is not inclusive)</i>	
<ul style="list-style-type: none"> • Certificates of birth or marriage for foreign nationals who may find it difficult to obtain replacements • Deeds of partnership • Patents/ copyrights • Medical records such as x-rays 	
Client Enquiry Forms	12 months (unless a full client file was opened in which case in line with that file)
Client Complaints	6 years (with client file)
Client File Audit Record	6 years after the last activity on the file (typically payment of bill, closure and archive). If the firm has acted for a person under 18, the file should be kept for 6 years after the client has turned 18.
Client identification and verification documents	5 years from the end of the client relationship. 10 years with client consent, to allow for fresh instruction.
Staff Information	
Information	Retention Period
Application forms/interview notes for unsuccessful candidates	12 months from the date of the application or interview (the latter if the application proceeds to this stage).
Offer letters and acceptance	6 years
Disciplinary, working time and training	6 years after employment ceases
Redundancy details	6 years from date of redundancy
Documents proving the right to work in the UK	Two years after employment ceases
Health and safety consultations	15 years
Information on senior executives	15 years
PAYE Records	4 years

Workplace accidents	3 years after date of last entry. There are specific rules on recording incidents involving hazardous substances.
Payroll	3 years after the end of the tax year they relate to
Statutory maternity, adoption and paternity pay	3 years after the end of the tax year they relate to
Statutory sick pay	3 years after the end of the tax year they relate to
Working time arrangements	2 years from date on which they were made
Financial Information	
Information	Retention Period
Books of account, reconciliations, bills, bank statements and passbooks	6 years
Paid cheques, digital images of paid cheques and other authorities for the withdrawal of money from a client account	6 years
Other vouchers and internal expenditure authorisation documents relating directly to entries to the client account books	6 years



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Definitions	In this policy, the following terms have the following meanings:-
Client personal data	personal data provided by a client in relation to that client's staff, customers, suppliers and other individuals, including those who may be identifiable from client documents such as those named or involved in a matter on which the firm is advising;
Client	any person or organisation to whom the firm provides a service and who is identified as a client on the firm's practice management system, regardless of whether time is recorded or a fee is charged;
Contact	an individual who is a contact of the firm, including any client, any potential or former client, any supplier, any consultant, or any another professional advisor and any other contact of the firm;
Data	recorded information whether stored electronically, on a computer, or in certain paper-based filing systems;
Data Controller	a person who or organisation which determines how personal data is processed and for what purposes;
Data Subject	the person whose personal data is being collected, held or processed;
Personnel	current and former employees (which for the purposes of this policy includes partners and members), consultants, temporary workers of the firm including applicants, former applicants, agency and casual workers, contractors and those on work placements;
Process or Processing	any activity that involves use of personal data. It includes obtaining, recording or holding the personal data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties as a result of those third parties having access to it;
Sensitive Personal Data (Special category data)	includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, marital status, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person.

REVIEW OF THIS POLICY

This policy will be reviewed at least annually by QCM.

RECORD OF REVIEW

Version	Date of review	Reviewer	Comments/ required	amendments	Date of review	of next
V.3	06.06.2023	QCM			June 2024	

Prepared by: QCM

Date: 06.06.2023

Approved by: COLP