

PRIVACY NOTICE – LITIGANT IN PERSON

We are instructed to act your opponent as set out in any letters to you. During the course of our client's instructions we will obtain personal data concerning you and will store this securely in both hard copy and electronic form. This data is lawfully collected and stored for the legitimate interest of providing legal advice to our client regarding litigation.

The personal data that we hold about you will be collected either directly from you, from our client or from publically available data sources. Where you are obliged to provide information we will inform you of this fact and the legal basis of the obligation. The information collected will include your name and address and any information relevant to the litigation in which we have been instructed. This may include, where relevant your date of birth, the date of your marriage to our client, your employment and other financial details. The personal data that we hold may include sensitive personal data and our storage and processing of this is lawful as such data will only be processed where necessary to bring or defend the legal claim in which we are instructed.

Your personal data will be shared with the Court and any barrister or expert that we are instructed to engage and also with government bodies, where this is necessary in the context of the litigation.

Your information will be accessible by those of the firm's staff who require such access to carry out our client's instructions. In addition to our permanent staff temporary workers and work-experience students may have access to your personal data. We also outsource various functions including IT systems, file auditing, dictation storage, typing, photocopying and telephone answering. We only allow our service providers to handle personal data, including that relating to you, if we are satisfied that they take appropriate measures to protect it. We impose contractual obligations on them to ensure that they may not process your personal data unless specifically instructed to do so by Heringtons.

As solicitors we are professionally and legally obliged to keep your affairs confidential despite the fact that you are not our client. However, we are required to share information in certain circumstances without reference to you in order to comply with legal obligations including in the prevention of fraud and money laundering. You should note that we will hold some of your personal details indefinitely (at our discretion). This allows us to meet our mutual legitimate interest in identifying potential conflicts of interest and minimising the risk of fraud. We will retain other information and data provided for as long as necessary to protect us and our client against any potential legal, regulatory or other claims that may arise after fulfilment of our contract. We will review the need to retain this information 15 years after the contract between us and our client has concluded and will retain it at this stage only if this is considered to be necessary due to the nature of our instructions.

You have rights in respect of the personal data we hold about you including the right to be informed of the lawful basis and purpose of our processing of that data as set out in this Privacy Notice. You also have the right to make a request for confirmation of the personal data we hold about you. Please note that this is qualified by our client's right to obtain legal advice in confidence and any information provided in a response we make to a Subject Access Request from you will be restricted appropriately.

Your further rights to object to our processing, erase, correct, complete or restrict the use of your personal data are also qualified in the circumstances as they must be balanced with the legitimate interests of our client and the legal obligations placed on us and them in relation to the litigation. This does not prevent you from making a request to exercise these rights but may limit the extent to which any request can be complied with. The extent to which your request to exercise these rights has been qualified by these considerations will be set out to you in our response.

We consider all such requests carefully in line with the General Data Protection Regulation, Data Protection Act 2018 and other applicable law and guidance concerning data protection and the exercise of the rights of data subjects.

In order to ensure a full and prompt response to any requests we would ask that you direct them to Rosemarie Close of our Deputy Data Protection Team in the first instance

The contact details for the Data Protection Team are set out below. If you are dissatisfied in relation to any data protection issue you have the right to raise a complaint with the Information Commissioners Office. You can find more information concerning your rights and how to complain at www.ico.org.uk/for-the-public/.

Our Data Protection Team, Richard Fisher and Rosemarie Close can be contacted on 01424 434 192 at our Hastings Office: Langham House, 5-6 Albert Road, Hastings TN34 1QT, by email rfisher@heringtons.net or rclose@heringtons.net or by fax 01424 444 824

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We use the word 'partner' to refer to a member of the LLP and our use of that word does not imply any legal obligation beyond that of a member of the LLP.