

# Heringtons

SOLICITORS

## **PRIVACY NOTICE – Attorney**

One of our clients has decided to appoint you as an attorney to manage their affairs.

In order to comply with this request we have recorded your name, address and other contact details and linked these to our client. We process this personal data about you to enable us to fulfil the contract between us and our client based on the legitimate interests of Heringtons in complying with our client's instructions.

It is important that the information we hold is up to date and accurate so please let us know if any of your contact details have changed.

Your information will be accessible by those of the firm's staff who require such access to fulfil our contract with our client to provide legal services. In addition to our permanent staff we may from time to time have temporary workers and work-experience students who may have access to your personal data. We may also outsource various functions including IT systems, file auditing, dictation storage, typing, photocopying and telephone answering. We only allow our service providers to handle your personal data if we are satisfied that they take appropriate measures to protect it. We impose contractual obligations on them to ensure that they can only use your personal data to provide services to Heringtons for your benefit.

We will share your details with the Office of the Public Guardian when we apply to register the Lasting Power of Attorney for our client and they will retain this information as they provide oversight of attorneys acting for those who have lost capacity. This is based on the legal obligation to register the Lasting Power of Attorney before it may be used by the attorneys to act on the donor's behalf.

Information we hold concerning you may be included when we carry out analysis to help manage our practice. This may include auditing and quality checks by external bodies including regulators and insurers. This processing is lawful as it meets our legitimate interest of providing an excellent and cost efficient service to our clients as well as complying with regulatory obligations.

As solicitors we are professionally and legally obliged to keep your affairs and those of our client confidential. However, we are required to share information in certain circumstances without reference to you or [client.legalname] 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 you have provided for as long as necessary to protect you and us 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 has concluded and will retain it at this stage only if this is considered to be necessary due to the nature of our client's instructions.

You have rights in relation to the personal data that we hold about you. You are able to access a copy of the personal data that we hold and if this is held electronically we will provide this in a portable form. You also have the right to request that we correct any inaccurate information and we would encourage you to exercise this right immediately should you discover that information we hold is inaccurate.

You have the right to object if you feel we are using your data in a way that causes you distress and the qualified right to have personal data erased or the processing of your data restricted. This would include any restriction you wish to place on the ways that we contact you. If you provide us with an email address then we will normally communicate with you by email in the first instance. If you provide us with a mobile number then we may contact you by text message. There are security risks with

email and we have measures in place to reduce these risks including methods to confirm your correct email address.

In relation to all of these rights we would ask that you raise any concerns, inaccuracies or requests for information with our client's lawyer as they will often be able to resolve this without delay. If you, or they, believe that they cannot assist you then they will refer you to our Data Protection Team who will deal with your request as quickly and sensitively as possible. 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/](http://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](mailto:rfisher@heringtons.net) or [rclose@heringtons.net](mailto: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.