

D.K. MACBRYDE & CO



You may be aware that data protection law is changing in May this year. To make sure you fully understand how we use your personal data, we have updated our Privacy Notice.

Thank you – D.K. Macbryde & Co.,

PRIVACY NOTICE

Data protection law in the UK and EU will change on 25th May, 2018. This notice sets out your rights as a client of D.K. Macbryde & Co., or as a visitor to our website, under the new law.

This notice comes into effect on 25th May, 2018.

The privacy notice tells clients of D.K. Macbryde & Co. what to expect when D K Macbryde & Co collects, uses, retains and discloses your personal information. Personal information is information that (on its own or together with other information identifies you and is about you. This includes what you tell us about yourself and what we learn by having you as a client and is necessary as part of the work D K Macbryde & Co are carrying out for you

To ensure that we process your personal information fairly and lawfully, this notice informs you:-

- a. Why we need your personal information.
- b. How it will be used.
- c. With whom it will be shared, and
- d. What rights you have in relation to the personal information we collect.

Within this notice we describe instances where D.K. Macbryde & Co., is the “data controller” (the company who decides what personal information is collected and how it is used), and where we direct or commission the processing of personal information by third parties on our behalf to provide services or improve our service to you.

There may be situations where D.K. Macbryde & Co., processes data on the instructions of another company (known as acting as a “data processor”), but in those circumstances our use of data would be governed by that company.

OUR COMMITMENT TO YOUR PRIVACY

D.K. Macbryde & Co, recognises the importance of protecting personal and confidential information in all that we do, and takes care to meet our legal duties. D.K. Macbryde & Co., puts in place all reasonable technical, security and procedural controls required to protect your personal information.

HOW THE LAW PROTECTS YOU

Your privacy is protected by law, which says that we can use your personal information only if we have a proper reason to do so. This includes sharing it outside D.K. Macbryde & Co., The reason by D.K. Macbryde & Co., may process your personal information are:-

- a. To fulfill a contract we have with you;
- b. When it is our legal duty;
- c. When it is in our legitimate interest; or
- d. When you consent to it.

A legitimate interest is when we have a business or commercial reason to use your information, but this must not unfairly go against your rights or freedoms. If we rely on our legitimate interest, we will tell you what that is.

Below is a list of the ways that we may use your personal information, and which of the reasons we rely on to do so. This is also where we tell you what our legitimate interests are. For further information in relation to the marketing that we undertake, please see the “Marketing” section below.

WHAT WE USE YOUR PERSONAL INFORMATION FOR	OUR REASONS FOR PROCESSING	OUR LIGITIMATE INTERESTS (WHERE APPLICABLE)
To manage our relationship with you	Fulfilling contracts Our legal duty Our legitimate interests	Keeping our records up to date

To provide you with the services we can offer clients	Fulfilling contracts Our legal duty Our legitimate interests	Being efficient about how we fulfill our legal and contractual duties
To administer payments for services and disbursements	Fulfilling contracts Our legal duty Our legitimate interests	Being efficient about how we fulfill our legal and contractual duties Complying with regulations that apply to us
To detect, investigate, report and seek to prevent financial crime To manage risk for us and our clients To comply with regulations that apply to us To respond to complaints and seek to resolve them	Fulfilling contracts Our legal duty Our legitimate interests	Developing and improving how we deal with financial crime Complying with regulations that apply to us Being efficient about how we fulfill our legal and contractual duties
To run our business in an efficient and proper way. This includes managing our financial position, business capability, planning, communications and audit	Our legal duty Our legitimate interests	Complying with regulations that apply to us Being efficient about how we fulfill our legal and contractual duties
To exercise our rights as set out in agreements and contracts	Fulfilling contracts	

WHAT TYPES OF PERSONAL INFORMATION DO WE HANDLE?

We process personal information to enable us to run D.K. Macbryde & Co., to support the provision of services to clients, maintain our own accounts and records and to promote our services.

The types of personal information we use include:

- a. Personal details such as names, address, telephone numbers, dates of birth, national insurance number;
- b. Your relationship to other individuals
- c. Financial details
- d. Details of how to use our website, and where you have accessed it from;
- e. Details of when you contact us and when we contact you (including copies of written communications such as telephone calls, emails and letters etc.
- f. Any consents which you have given us in relation to the processing of your information.
- g. Details of your use of services offered by D K Macbryde & Co

WHERE WE COLLECT PERSONAL INFORMATION FROM

We collect your personal information from the following sources:-

Personal information you give to us:

- a) When you contact D K Macbryde & Co by phone, email or letter
- b) When you use our services
- c) Financial institutions who provide your personal records
- d) Organisations that have referred work to us
- e) In customer surveys or any other research activity we may conduct with you

At present D K Macbryde & Co do not gather personal information from our website

IF YOU CHOOSE NOT TO GIVE PERSONAL INFORMATION

We may need to collect personal information by law or under the terms of the contract we have with you.

If you choose not to give us this personal information, it may delay or prevent us from meeting our obligations. It may also mean that we cannot provide you with the services under the terms of our Contract with you. We will notify you if your choice not to give personal information to us would result in a delay or prevent us from meeting our obligations to you.

WHO WE SHARE YOUR PERSONAL INFORMATION WITH

We may share your personal information for these reasons:

- Assisting in verifying your identity
- Assessing risks
- Assisting in verifying source of funds
- Understanding your requirements
- Obtaining insurance policies on your behalf
- Processing your legal transaction
- Seeking advice from third parties; such as legal and non legal experts
- Developing, testing , researching and improving products and services
- Marketing products and services we believe may be appropriate to you
- Training and business analysis
- Legal and regulatory compliance
- Preventing or detecting financial crime
- Complaints handling or
- Improving customer service

We will not sell or rent your information to third parties. We will not share your information with third parties for marketing purposes.

Generally we will only use your information within D K Macbryde & Co however there may be circumstances in carrying out your legal work where we need to disclose your information to third party organisations who collect and use personal information in order to provide those services to you.

Your personal information will only be shared with third party organisations when required (for example for legal obligations or regulatory requirements, in respect of the products and/or services you request).

These types of organisations include:-

- HM Revenue & Customs, Welsh Revenue Authority
- HM Land Registry
- HM Court Service
- Solicitors acting on the other side
- Banks or Building Societies or other financial institutions
- Asking an independent Barrister or Counsel for advice, or to represent you
- Non legal experts to obtain advice or assistance
- Our regulators and other authorities, including fraud prevention agencies (where required or permitted by law).
- Mailing, email, SMS messaging, and/or print fulfillment organisations (to enable us to communicate with you efficiently)
- Providers of business services such as auditors, consultants, solicitors, search providers, and/or insurers
- Providers of records management services such as secure disposal suppliers, and IT storage providers (to enable us to secure data efficiently)
- Providers of IT systems or services (to enable us to run efficiently)
- Companies you ask us to share your personal information with (upon request)

When we share your information with our approved third party providers, our contractual relationship with them prevents them from using your information for any other purpose outside of our instructions to them. They may use their own third party data processors, but are required to meet the same legal requirements as D K Macbryde & Co does.

D K Macbryde & Co will never share or sell your information to external companies for their own marketing purposes.

SENDING PERSONAL INFORMATION OUTSIDE OF THE EEA

Data protection law holds all countries in the European Economic Area (EEA) to the same high standards. If we transfer information outside of the EEA, we will make sure that it is protected to these standards. We will only send your personal information the countries outside of the EEA to:

- Follow your instructions
- Comply with a legal duty; or
- Work with other third part organisations (as detailed above) who we use to help provide our services to you.

We will always use one or more of these safeguards:

- Transfer it to a non-EEA country with privacy laws that give the same protection as the EEA
- Put in place a contract with the recipient that means they must protect it to the same standards as the EEA or
- Transfer it to organisations that subscribe to Privacy Shield. This a framework that sets privacy standards for personal information sent between the US and EU countries.

MARKETING

We may in the future use your personal information to tell you about relevant services offered by D K Macbryde & Co. This is what we mean when we talk about “marketing”.

We will only use your personal information to send you marketing messages if we either have your consent or a “legitimate interest”. Legitimate interest is when we have a business reason to use your information for marketing purposes (which will not unfairly go against your rights and freedoms). In other words, we will not market to you based on legitimate interest if you have told us that you do not want to receive such marketing.

HOW LONG WE KEEP YOUR PERSONAL INFORMATION

We will keep some forms of information longer than others.

After the completion of the matter your personal information will be retained usually in computer or manual files only for as long as necessary to fulfill the purposes for which the information was collected or as required by law or as long as set out in any relevant contract you hold with us: For example:

- As long as is necessary to carry out your legal work
- For a minimum of 7 years from the conclusion or closure of your legal work; in case you or we need to re-open your case for the purpose of defending complaints or claims against us
- For the duration of a trust
- To maintain records according to legal requirements and documented business need.
- Wills and related documents may be kept indefinitely

YOUR RIGHTS

In order to exercise your rights under data protection law, we will need to verify your identity for your security.

You can contact us by emailing aim@dkmacbryde.co.uk, or writing to the Data Protection Officer at D K Macbryde & Co, 4 Nant Hall Road, Prestatyn, Denbighshire, LL19 9LH, or telephoning 01745 856404.

HOW TO GET A COPY OF YOUR PERSONAL INFORMATION

You can request a copy of your personal information, as well as why we have that personal information, who has access to that personal information and where we got that personal information from at any time. Once we have received your request we will respond within 30 days.

LETTING US KNOW IF YOUR PERSONAL INFORMATION NEEDS UPDATING

You have the right to question any information we hold on you that you think is wrong, out of date or incomplete. If you do, we will take reasonable steps to check its accuracy and correct it.

If you need to update your contact details you can do so by contacting us using the details above.

IF YOU WANT US TO STOP USING YOUR PERSONAL INFORMATION

You have the right to object to our use of your personal information, or to ask us to delete, remove or stop using your personal information if there is no need for us to keep it. This is known as the “right to object” and the “right to erasure” (or “right to be forgotten”)

We may be able to restrict the use of your personal information so that it can only be used for certain things, such as legal claims or to exercise legal rights. In this situation, we would not use or share your information in other ways while it is restricted.

You can ask us to restrict the use of your personal information if:

- It is not accurate
- It has been used unlawfully but you don't want us to delete it
- It is not relevant any more, but you want us to keep it for use in legal claims' or
- You have already asked us to stop using your personal information but you are waiting for us to assess your request and confirm whether we are permitted to continue using the personal information under data protection law.

If you want to object to how we use your personal information, or ask us to restrict how we use it, please contact us using the details above.

IF YOU WANT US TO ERASE YOUR PERSONAL INFORMATION

If you feel that we should no longer be using your personal information, or that we are illegally using your data, you can request that we erase the personal information we hold on you. When we receive your request, we will confirm whether the personal information has been deleted or tell you the reason why it cannot be deleted. There may be legal reasons why we need to keep your personal information.

If you want to request that we erase your personal information, please contact us using the details above.

OBTAINING YOUR PERSONAL INFORMATION IN A PORTABLE FORMAT

You have the right to get copies of your personal information from us in a format that can be easily re-used. You can also ask us to pass your personal information to other organisations. To request this, please contact us in writing using the details above.

YOUR RIGHT TO COMPLAIN

If you are not satisfied with our response or believe that we are not processing your personal information in accordance with the law, you can complain to the Information Commissioner's Officer (ICO) by emailing casework@ico.org.uk or telephoning 0303 123 1113. Additional contact methods are detailed on their website: <https://ico.org.uk/global/contact-us>.

CHANGES TO THIS PRIVACY NOTICE

We regularly review our privacy notice. We will publish any updates on D K Macbryde & Co's website and inform clients or any changes within our regular communications. You can request a copy of our privacy notice by us using the details above.

CONTACTING US

IF YOU CONTACT US

When you contact us, we will need to verify your identity for your security. Verifying identity is an important way of safeguarding against criminal activities including the prevention of illicit access to your information.

If we are unable to validate your identity, we may ask you to provide further evidence so that we can access your information.

D K Macbryde & Co reserve the right to discuss any financial transactions with the originating client

FREEDOM OF INFORMATION

D K Macbryde & Co are not governed by the Freedom of Information Act.

HOW TO CONTACT OUR DATA PROTECTION OFFICER

If you have any questions about this privacy notice or our processing of information, if you wish to raise a complaint on how we have handled your personal information, or if you wish to exercise any of the rights set out in this privacy notice, please contact our Data Protection Officer by emailing ajm@dkmacbryde.co.uk or writing to Data Protection Officer, D K Macbryde & Co, 4 Nant Hall Road, Prestatyn, Denbighshire, LL19 9LH.
