**M J SOLOMON AND PARTNERS**

**PRIVACY POLICY**

This Notice explains when and why M J Solomon & Partners collects personal information about you : how we use it, the conditions under which we may disclose it to third parties and how we keep it secure.

For clients of M J Solomon & Partners, we would encourage you to read this notice alongside our Client Care Letter which provides further information on confidentiality, data and privacy.

This notice does not apply to any website that might have a link to our website. They are operated by third parties unconnected to this firm.

In this Notice, we shall address the following;-

* Who we are
* Children and their rights
* What information we need from you
* Sources of Information
* Why we need the information
* Who has access to the information you give us
* How do we protect your personal date
* How long we keep it for
* What are your rights?
* With whom do you raise complaints about the use of personal data?
* Marketing data

WHO WE ARE

Data is collected, processed and stored by M J Solomon and Partners and we are what is now known as a “Data Controller” of the personal information you provide to us.

We are a firm of Solicitors with two branch offices, authorised and regulated by the Solicitors Regulation Authority under number 400072 and 400075. Our Data Protection Officers are Mr. Solomon-Soul Farinto and Mr Abass Arole ([Abas@mjsolomonandpartners.com](mailto:Abas@mjsolomonandpartners.com))

CHILDREN

Our usual services do not specifically relate to children who must be generally represented by their parents or guardians. If by any chance, you are a child who needs further advice or explanation about how we would use your data please email [office@mijsolomonandpartners.com](mailto:office@mijsolomonandpartners.com)

WHAT INFORMATION DO WE NEED FROM YOU?

The exact nature of the information we will request from you will depend on what you have instructed us to do.

There are two types of personal data/information that you may provide to us;-

Personal data – is the general information that you supply about yourself; - such as your name, address, gender, date of birth, contract details, financial information, etc

Sensitive personal data;- is, by nature, more sensitive informative and may include your racial or ethnic origin, religion, sexual orientation, political opinion, health data, biometric and genetic data etc.

In the majority of cases, personal data will be restricted to basic information needed to complete ID checks. However some of the works we do may require us to ask for more sensitive information.

SOURCES OF INFORMATION

Information about you may be obtained from a number of sources, including;-

You may volunteer the information yourself

You may provide information relating to someone else – if you have authority to do so.

Information may be passed to us by third parties in order that we can undertake your legal work on your behalf. Typically these organisations can be;

* Banks and building societies
* Panel providers who allocate legal work to law firms
* Organisations that refer work to us
* Medical and financial institutions – who provide your personal records/information.

WHY WE NEED THE INFORMATION

The primary reason for asking you to provide us with your personal data, is to allow us to carry out your requests – which will ordinarily be to represent you and carry out your legal work.

The following are some examples, although, not exhaustive of what we may use your information for;-

* Verifying your identity
* Verifying source of funds
* Communicating with you
* To establish funding on your transaction
* Obtaining insurance policies on your behalf
* Processing your legal transactions including;
* Providing you with advice; carrying out litigation on your behalf; attending hearings on your behalf, preparing documents or to complete transactions
* Keeping financial records of your transactions we undertake on your behalf
* Seeking advice from third parties, such as legal and non-legal experts,
* Responding to any complaint or allegation of negligence against us

WHO HAS ACCESS TO THE INFORMATION YOU GIVE US

We have put in place a system to oversee the effective and secure processing of your personal data. We will not at any stage sell or rent your information to third parties for any purpose whatsoever.

Generally, we will only use your information within the confines of our small firm of solicitors. However, there may be circumstances, in carrying out legal work, where we may need to disclose some information to third parties; for example:

Home Office – to support Immigration applications

HM Land Registry – To register a property

HM Revenue & Customs (Stamp Duty Land Tax)

Court of Tribunal

Solicitors acting on the other side

Asking an independent Barrister or Counsel for Opinion

Non legal experts to obtain advice or assistance

Translation Agencies

External Auditors or Regulators – ICO, SRA etc

Bank or Building Societies or other Regulators

Insurance Companies

Providers of Identification Verification

Any disclosure required by law or regulation eg the prevention of financial crime and terrorism

In the event that we are required to share your information with the afore-mentioned 3rd parties, we ensure that they comply, strictly and confidentially, with our instructions and they do not use your personal information for their own purposes unless you have specifically consented to them doing so.

Indeed there may be some uses of personal date that may require specific consent which you are free to withdraw at any time.

HOW DO WE PROTECT YOUR PERSONAL DATA

We appreciate that your personal information is valuable and we take all reasonable measures to guard and protect it whilst it is in our care.

We endeavour at all times to upgrade to a higher standard our technology and operational security in order to protect personally identifiable data from loss, misuse, alteration or obstruction. All our partners and fee-earners are fully aware of the importance of confidentiality obligations and protect confidentiality of all information; to ensure all personal data is handled and processed in line with our date protection policies.

We use computer safeguards such as firewalls and data encryption and annual penetration testing; and we enforce, where possible, physical access controls to our office and files to keep data safe. Your files will be locked up while on our premises with access being given to selected and trusted members of the firm.

HOW LONG WILL WE KEEP THE INFORMATION FOR

The information you provide will be retained, usually in computer or manual files, only for as long as necessary to fulfil the purposes for which the information was provided; or as required by law; or as long as is set out in any relevant contract you may hold with us. Typically the information will be kept;

For as long as necessary to carry out the terms of your instructions to us

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

In some cases we are obliged to keep information for up to 16 years- eg commercial transactions, sales or leasehold purchases, matrimonial matters (financial orders or maintenance agreements etc)

Wills and related documents may be kept indefinitely

WHAT ARE YOUR RIGHTS?

The new EU data legislation – GDPR – empowers you to gain access to your personal data (“right of access”). If you wish to make a request, please do so in writing addressed to our Data Protection Officers Mr Solomon-Soul Farinto (Immigration) and Mr Abass Arole (Conveyancing).

You are entitled to a copy of the data we hold on you – such as your name, address, contact details, date of birth, information regarding your health, etc. Please note that being entitled to a copy of the data we hold does not mean you are entitled to the actual documents that contain the data.

Under certain circumstances, in addition to the entitlement to “access your data”, you have the following rights;

1. The right to be informed: which is fulfilled by way of this privacy notice and our transparent explanation as to how we use your personal data
2. The right to rectification: you are entitled to have personal data rectified if it is inaccurate or incomplete
3. The right to erasure / ‘right to be forgotten’ – you have the right to request the deletion or removal of your data where there is no compelling reason for its continued processing. This right only applies in the following specific circumstances:

* Where the personal data is no longer necessary in regards to the purpose for which it was originally collected
* Where consent is relied upon as the lawful basis for holding data and you withdraw your consent
* Where you object to the processing and there is no overriding legitimate interest for continuing the processing
* The personal data was unlawfully processed
* Where you object to processing for direct marketing purposes (we very rarely engage in direct marketing)

1. The right to object: you have the right to object to processing based on legitimate interests; and direct marketing. The right only applies in the following circumstances:

* An objection to stop processing data for direct marketing purposes is absolute – there are no exemptions or grounds to refuse – we must stop processing in this context
* You must have an objection on grounds relating to your particular situation
* We must stop processing your personal data unless:
* We can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms; or
* The processing is for the establishment, exercise or defence of legal claims

1. The Right to restrict processing: you have the right to request the restriction or suppression of your data. When processing is restricted, we can store the data but not use it. This right only applies in the following circumstances:

* Where you contest or dispute the accuracy of the personal data – we should the processing until we have verified the accuracy of the data
* Where you object to the processing (where it was necessary for the performance of a public interest or purpose of legitimate interest, and we are considering whether our firm’s legitimate grounds override your right
* Where processing is unlawful and you request restriction
* If we no longer need the personal data but you require data to establish, exercise or defend a legal claim

WITH WHOM DO YOU RAISE COMPLAINTS ABOUT THE USE OF PERSONAL DATA?

To raise a complaint about our use of your data please contact Mr Solomon-Soul Farinto or Mr Abass Arole ([Abas@mjsolomonandpartners.com](mailto:Abas@mjsolomonandpartners.com)) who will then investigate your complaint.

If you are not satisfied with their response, or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner’s Office (ICO).

MARKETING DATA

On rare occasions we may contact you for the purpose of direct marketing. This means that we may use your personal data that we have collected in accordance with this privacy policy to contact you about our services both existing and new, or events etc. which we feel may interest you. The direct marketing communications may be provided by social media channels, email or post. We do not have SMS facility to send marketing communications and we will never call you without your specific consent. As emphasised earlier M J Solomon and Partners will never pass on or sell your details to a third party.

HOW WE COLLECT PERSONAL DATA

* The following are examples of how we might collect personal information from clients:
* Direct face to face instructions
* Postal communications – when you return your signed client care letter
* Submitting an on-line enquiry
* Following, liking or subscribing to any social media channels that we may operate
* Agree to fill in a questionnaire or survey on our website
* Asking a question or submit any queries or concerns you have via email or on social media channels

Whenever we collect your personal data on-line, you will be provided the opportunity to ‘opt in’ to receiving marketing communications from us. We hope you will provide this information so that you find our communications useful but if you choose not to this will have no effect on accessing our legal services.

Prospective clients: Consent will need to be recorded before being added to marketing campaigns from M J Solomon & Partners.

Fixed Fee Clients: we may send marketing communications by email during the handling of your matter and once the case has been closed. Clients have the option to exclude themselves from marketing by clicking on the unsubscribe link on all of our marketing emails, on the telephone when speaking to a fee-earner or contacting M J Solomon and Partners through email or on social media.

HOW WE MAY USE YOUR DETAILS

The following are examples, although not exhaustive, of how we may use your personal information for our legitimate business interests:

* Fraud prevention
* Direct marketing
* Network and information systems security
* Data/analytics/enhancing, modifying or improving our services
* Identifying usage trends
* Determining the effectiveness of promotional campaigns and advertising.

YOUR RIGHTS

You have the right to object to this processing. Should you wish to do so please email [Abas@mjsolomonandpartners.com](mailto:Abas@mjsolomonandpartners.com)

HOW WE PROTECT YOUR PERSONAL INFORMATION

We will only ever use non sensitive personal information to target individuals with marketing materials; such as name, address, telephone, email, job description etc. Sensitive information will never be used to target marketing communications.

If you do not wish us to continue to contact you in this way, you can either follow the unsubscribe instructions on our communications to you or contact us by emailing [office@mjsolomonandpartners.com](mailto:office@mjsolomonandpartners.com) with your name and email address. Your details will be removed immediately. This naturally has no bearings on the transactional email you will still receive from us regarding any legal matter we are handling on your behalf.

ANY QUESTIONS REGARDING THIS NOTICE AND OUR PRIVACY POLICY SHOULD BE SENT BY EMAIL TO : [Abas@mjsolomonandpartners.com](mailto:Abas@mjsolomonandpartners.com) or [office@mjsolomonandpartners.com](mailto:office@mjsolomonandpartners.com)