

Thomas & Gabriel respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data, and tells you about your privacy rights and how the law protects you.

Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

1. IMPORTANT INFORMATION AND WHO WE ARE

PURPOSE OF THIS PRIVACY NOTICE

This privacy notice gives you information on how we collect and processes your personal data.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data. This privacy notice supplements any other notices and is not intended to override them.

Personal data we collect about you

The table below sets out the personal data we will or may collect in the course of advising and/or acting for you.

Personal data we will collect	Personal data we may collect depending on why you have instructed us
Your name, address and telephone number	Your National Insurance and tax details
Information to enable us to check and verify your identity, eg your date of birth, passport details, driving licence etc	Your bank and/or building society details
Electronic contact details, eg your email address and mobile phone number	Details of your professional online presence, eg LinkedIn profile
Information relating to the matter in which you are seeking our advice or representation	Details of your spouse/partner and dependants or other family members
Information to enable us to undertake a credit or other financial checks on you	Your employment status and details including salary and benefits
Your financial details so far as relevant to your instructions, eg the source of your funds if you are instructing on a purchase transaction	Your nationality and immigration status and information from related documents, such as your passport or other identification, and immigration information,
	Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs

This personal data is required to enable us to provide our service to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

How your personal data is collected

We collect most of this information from you. However, we may also collect information from other sources such as:

- publicly accessible sources, eg Companies House or HM Land Registry;
- directly from a third party, eg:
 - sanctions screening providers;
 - credit reference agencies;
 - client due diligence providers;
 - other third parties;
 - Estate agents
- from a third party with your consent, eg:
 - your bank or building society, another financial institution or advisor;
 - consultants and other professionals we may engage in relation to your matter;

How and why we use your personal data

Under data protection law, we can only use your personal data if we have a proper reason for doing so, eg:

- to comply with our legal and regulatory obligations;
- for the performance of our contract with you or to take steps at your request before entering into a contract;
- for our legitimate interests or those of a third party; or
- where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your personal data for and our reasons for doing so:

What we use your personal data for	Our reasons
What we use your personal data for To provide legal services to you	Our reasons For the performance of our contract with you or to take steps at your request before entering into a contract.
What we use your personal data for Conducting checks to identify our clients and verify their identity Screening for financial and other sanction Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, eg under health and safety regulation or rules issued by our professional regulator	Our reasons To comply with our legal and regulatory obligations
What we use your personal data for Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	Our reasons To comply with our legal and regulatory obligations
What we use your personal data for Ensuring business policies are adhered to, eg policies covering security and internet use	Our reasons For our legitimate interests or those of a third party, ie to make sure we are following our own internal procedures so we can deliver the best service to you

What we use your personal data for	Our reasons
<p>What we use your personal data for Operational reasons, such as improving efficiency, training and quality control</p>	<p>Our reasons For our legitimate interests or those of a third party, i.e. to be as efficient and endeavour to deliver the best service for you</p>
<p>What we use your personal data for Ensuring the confidentiality of commercially sensitive information</p>	<p>Our reasons</p> <p>For our legitimate interests or those of a third party, ie to protect our intellectual property and other commercially valuable information</p> <p>To comply with our legal and regulatory obligations</p>
<p>What we use your personal data for Statistical analysis to help us manage our practice</p>	<p>Our reasons For our legitimate interests or those of a third party, i.e. to be as efficient and endeavour to deliver the best service for you</p>
<p>What we use your personal data for Preventing unauthorised access and modifications to systems</p>	<p>Our reasons</p> <p>For our legitimate interests or those of a third party, ie to prevent and detect criminal activity that could be damaging for us and for you</p> <p>To comply with our legal and regulatory obligations</p>
<p>What we use your personal data for Updating and enhancing client records</p>	<p>Our reasons</p> <p>For the performance of our contract with you or to take steps at your request before entering into a contract</p> <p>To comply with our legal and regulatory obligations</p> <p>For our legitimate interests or those of a third party, eg making sure that we can keep in touch with our clients about existing and new services</p>
<p>What we use your personal data for Statutory returns</p>	<p>Our reasons To comply with our legal and regulatory obligations</p>
<p>What we use your personal data for Ensuring safe working practices, staff administration and assessments</p>	<p>Our reasons</p> <p>To comply with our legal and regulatory obligations</p> <p>For our legitimate interests or those of a third party, eg to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you</p>
<p>What we use your personal data for Marketing our services and those of selected third parties to:</p>	<p>Our reasons For our legitimate interests or those of a third party, ie to promote our businesses to existing and former clients</p>

What we use your personal data for	Our reasons
<ul style="list-style-type: none"> —existing and former clients; —third parties who have previously expressed an interest in our services; —third parties with whom we have had no previous dealings. 	
What we use your personal data for Credit reference checks via external credit reference agencies	Our reasons For our legitimate interests and to comply with our legal and regulatory obligations
What we use your personal data for External audits and quality checks, eg for CQS accreditation and the audit of our accounts	Our reasons For our legitimate interests or a those of a third party, ie to maintain our accreditations so we can demonstrate we operate at the highest standards To comply with our legal and regulatory obligations

The above table does not apply to special category personal data. We will only process special category personal data (as defined under article 9 GDPR) if one of the grounds under article 9(2) applies, which includes:

- obtaining your explicit consent
- where necessary to protect your vital interests
- processing is necessary for the establishment or defence of legal claims
- Processing is necessary to comply with legal obligations and rights of Thomas & Gabriel as controller in the field of employment, social security and social protection law.

Promotional communications

We may use your personal data to send you updates (by email, text message, telephone or post) about legal developments that might be of interest to you and/or information about our services, including exclusive offers, promotions or new services.

We have a legitimate interest in processing your personal data for promotional purposes (see above '**How and why we use your personal data**'). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your personal data with the utmost respect.

You have the right to opt out of receiving promotional communications at any time by:

- emailing nadine@thomasandgabriel.co.uk
- We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

Who we share your personal data with

We routinely share personal data with:

- professional advisers who we instruct on your behalf or refer you to, eg other solicitors, accountants, tax advisors or other experts;
- other third parties where necessary to carry out your instructions;
- credit reference agencies;
- our insurers and brokers;
- external auditors, eg in relation to CQS accreditation and the audit of our accounts;
- our bank;

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

We may also need to share some personal data with other parties, such as potential buyers of some or all of our business or during a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

Where your personal data is held

Information may be held at our offices and third party agencies, service providers, representatives and agents as described above (see '**Who we share your personal data with**').

How long your personal data will be kept

We will keep your personal data after we have finished advising or acting for you. We will do so for one of these reasons:

- to respond to any questions, complaints or claims made by you or on your behalf;
- to show that we treated you fairly;
- to keep records required by law.

We will not retain your data for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of data and we explain how long we will normally retain your papers in our terms and conditions. Please contact us if you have any questions on this.

Transferring your personal data out of the EEA

To deliver services to you, it is sometimes necessary for us to share your personal data outside the European Economic Area (EEA), eg:

- with your and our service providers located outside the EEA;
- if you are based outside the EEA;
- where there is an international dimension to the matter in which we are advising you.

These transfers are subject to special rules under European and UK data protection law.

If you would like further information please contact our Data Protection Officer (see 'How to contact us' below).

Your rights

You have the following rights, which you can exercise free of charge:

Access	The right to be provided with a copy of your personal data
Rectification	The right to require us to correct any mistakes in your personal data
To be forgotten	The right to require us to delete your personal data—in certain situations
Restriction of processing	The right to require us to restrict processing of your personal data—in certain circumstances, eg if you contest the accuracy of the data
Data portability	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
To object	The right to object: —at any time to your personal data being processed for direct marketing (including profiling); —in certain other situations to our continued processing of your personal data, eg processing carried out for the purpose of our legitimate interests.
Not to be subject to automated individual decision-making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you

For further information on each of those rights, including the circumstances in which they apply, please contact us or see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation](#).

If you would like to exercise any of those rights, please:

- email, call or write to our Data Protection Officer—see below: **'How to contact us'**; and
- let us have enough information to identify you;
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and
- let us know what right you want to exercise and the information to which your request relates.

Keeping your personal data secure

We have appropriate security measures to prevent personal data from being accidentally lost, or used or accessed unlawfully. We limit access to your personal data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

You can get detailed information from 'Get Safe Online' on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems: visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

How to complain

We hope that **we** can resolve any query or concern you may raise about our use of your information.

The [General Data Protection Regulation](#) also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns>.

GLOSSARY

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by **emailing us at:** nadine@thomasandgabriel.co.uk

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

CONTACT DETAILS

Full name of legal entity: Thomas & Gabriel Solicitors Limited

Name or title of Data Protection Officer: Nadine Holland

Email address: nadine@thomasandgabriel.co.uk

Postal address: The Burton Street Foundation, 57 Burton Street, Hillsborough, Sheffield, S6 2HH

Telephone number: 0114 317 7941

CHANGES TO THE PRIVACY NOTICE

This version was last updated April 2019.