



Privacy Policy

V1.0

August 2021

We take your privacy very seriously. Please read this privacy policy carefully as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

We collect, use and are responsible for certain personal data about you. When we do so we are subject to the UK General Data Protection Regulation (UK GDPR). We are also subject to the EU General Data Protection Regulation (EU GDPR) in relation to services we offer to individuals [in the European Economic Area (EEA).

Key terms

It would be helpful to start by explaining some key terms used in this policy:

We, us, our	WE Solicitors LLP Ivy Mill, Crown Street, Failsworth, Manchester, Lancashire, M35 9BG,
Our data protection officer	Janine McMahon (address as above) Email: janine.mcmahon@wesolicitors.com
Personal data	Any information relating to an identified or identifiable individual
Special category personal data	Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs, or trade union membership Genetic and biometric data (when processed to uniquely identify an individual) Data concerning health, sex life or sexual orientation
Data subject	The individual who the personal data relates to

Personal data we collect about you

The table below sets out the personal data we will or may collect in the course of providing [legal services. This may include special category personal data.

Personal data we will collect	Personal data we may collect depending on why you have instructed us
<p>Your name, address, and telephone number</p> <p>Information to enable us to check and verify your identity, eg your date of birth or passport details</p> <p>Electronic contact details, eg your email address and mobile phone number</p> <p>Information relating to the matter in which you are seeking our advice or representation</p> <p>Information to enable us to undertake a credit or other financial checks on you</p> <p>Your financial details so far as relevant to your instructions, eg the source of your funds if you are instructing on a purchase transaction</p> <p>Information about your use of our IT, communication and other systems, and other monitoring information, eg if using our secure online client portal</p>	<p>Your National Insurance and tax details</p> <p>Your bank and/or building society details</p> <p>Details of your professional online presence, eg LinkedIn profile</p> <p>Details of your spouse/partner and dependants or other family members, eg if you instruct us on a family matter or a will</p> <p>Your employment status and details including salary and benefits, eg if you instruct us on matter related to your employment or in which your employment status or income is relevant.</p> <p>Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information, eg if you instruct us on an immigration matter.</p> <p>Details of your pension arrangements, eg if you instruct us on a pension matter or in relation to financial arrangements following breakdown of a relationship</p> <p>Your employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary conduct and grievances, eg if you instruct us on matter related to your employment or in which your employment records are relevant.</p> <p>Your racial or ethnic origin, gender, and sexual orientation religious or similar beliefs, eg if you instruct us on discrimination claim.</p> <p>Your trade union membership, eg if you instruct us on a discrimination claim or your matter is funded by a trade union.</p> <p>Personal identifying information, such as your eye colour or your parents' names, eg if you instruct us to incorporate a company for you.</p> <p>Your medical records, eg if we are acting for you in a personal injury claim.</p>

We collect and use this personal data to provide legal services. If you do not provide personal data we ask for, it may delay or prevent us from providing those services.

How your personal data is collected

We collect most of this information from you, direct. However, we may also collect information:

- from 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;
- 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;
 - your employer and/or trade union, professional body, or pension administrators;
 - your doctors, medical and occupational health professionals;
- via our website—we use cookies on our website (for more information on cookies, please see our cookie policy www.wesolicitors.com/cookies)
- via our information technology (IT) systems, eg:
 - via our case management, document management and time recording systems;
 - from door entry systems and reception logs;
 - through automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, email, and instant messaging systems;

How and why we use personal data

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

- where you have given consent;
- 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; or

- for our legitimate interests or those of a third party.

A legitimate interest is when we have a business or commercial reason to use personal data, so long as this is not overridden by your own rights and interests. We will carry out an assessment when relying on legitimate interests, to balance our interests against your own.

The table below explains what we use your personal data for and why:

What we use personal data for	Our reasons
Providing legal services to our clients	To perform our contract with you or to take steps at our client's request before entering into a contract
Preventing and detecting fraud against you or us	For our legitimate interests or those of a third party, ie to minimise fraud that could be damaging for you and/or us
Conducting checks to identify our clients and verify their identity Screening for financial and other sanctions or embargoes Other activities necessary to comply with professional, legal, and regulatory obligations that apply to our business, eg under health and safety law or rules issued by our professional regulator	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries, or investigations by regulatory bodies	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, eg policies covering security and internet use	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
Operational reasons, such as improving efficiency, training, and quality control	For our legitimate interests or those of a third party, ie to be as efficient as we can so we can deliver the best service to you at the best price
Ensuring the confidentiality of commercially sensitive information	For our legitimate interests or those of a third party, ie to protect our intellectual property and other commercially valuable information To comply with our legal and regulatory obligations
Statistical analysis to help us manage our practice, eg in relation to <i>[insert example, eg our financial performance, client base, work type or other efficiency measures]</i>	For our legitimate interests or those of a third party, ie to be as efficient as we can so we can deliver the best service to you at the best price

What we use personal data for	Our reasons
Preventing unauthorised access and modifications to systems	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 and/or us To comply with our legal and regulatory obligations
Updating client records	To perform our contract with you or to take steps at your request before entering into a contract To comply with our legal and regulatory obligations 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
Statutory returns	To comply with our legal and regulatory obligations
Ensuring safe working practices, staff administration and assessments	To comply with our legal and regulatory obligations 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
Marketing our services to: —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.	For our legitimate interests or those of a third party, ie to promote our business to existing and former clients
Credit reference checks via external credit reference agencies	For our legitimate interests or those of a third party, ie for credit control and to ensure our clients are likely to be able to pay for our services
External audits and quality checks, eg for Lexcel, ISO or Investors in People accreditation and the audit of our accounts	For our legitimate interests or 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

Where we process special category personal data, we will also ensure we are permitted to do so under data protection laws, eg:

- we have your explicit consent;

- the processing is necessary to protect your (or someone else’s) vital interests where you are physically or legally incapable of giving consent; or
- the processing is necessary to establish, exercise or defend legal claims—this includes using special category personal data, where necessary, for:
 - actual or prospective court proceedings;
 - obtaining legal advice; or
 - establishing, exercising, or defending legal rights in any other way.

Marketing

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 using 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 marketing information. However, where consent is needed, we will ask for this consent separately and clearly.

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

- contacting us at info@wesolicitors.com;
- using the ‘unsubscribe’ link in emails or ‘STOP’ number in texts; or
- updating your marketing preferences on our website.

We may ask you to confirm or update your marketing preferences if you ask us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

We will always treat your personal data with the utmost respect and never sell or share it with other firms for marketing purposes.

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 barristers, medical professionals, accountants, tax advisors or other experts;
- other third parties where necessary to carry out your instructions, eg your mortgage provider or HM Land Registry in the case of a property transaction or Companies House;
- credit reference agencies;
- our insurers and brokers;

- external auditors, eg in relation to ISO or Lexcel accreditation and the audit of our accounts;
- our banks;
- external service suppliers, representatives, and agents that we use to make our business more efficient, eg typing services, marketing agencies, document collation or analysis suppliers;

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers relating to ensure they can only use your personal data to provide services to us and to you.

We may also need to:

- share personal data with external auditors, eg in relation to ISO/Lexcel accreditation and the audit of our accounts;
- disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations;
- share some personal data with other parties, such as potential buyers of some or all of our business or during a restructuring—usually, information will be anonymised, but this may not always be possible, however, the recipient of the information will be bound by confidentiality obligations.

If you would like more information about who we share our data with and why, please contact us (see ‘**How to contact us**’ below).

Where your personal data is held

Personal data may be held at our offices and those of our third-party agencies, service providers, representatives and agents as described above (see ‘**Who we share your personal data with**’).

Some of these third parties may be based outside the European Economic Area. For more information, including on how we safeguard your personal data when this occurs, see below: ‘**Transferring your personal data out of the UK and EEA**’.

How long your personal data will be kept

We will keep your personal data while we are providing services to you. Thereafter, we will keep your personal data for as long as is necessary:

- 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 keep your data for longer than necessary. Different retention periods apply for different types of data. Further details on this are available in our Records Management Policy which is available upon request.

When it is no longer necessary to keep your personal data, we will delete or anonymise it.

Transferring your personal data out of the UK and EEA

To deliver services to you, it is sometimes necessary for us to share your personal data outside the UK/EEA, eg:

- with your and our service providers located outside the UK/EEA;
- if you are based outside the UK/EEA
- where there is a European and/or international dimension to the services we are providing to you.

Under data protection law, we can only transfer your personal data to a country or international organisation outside the UK/EEA where:

- the UK government or, where the EU GDPR applies, the European Commission has decided the particular country or international organisation ensures an adequate level of protection of personal data (known as an 'adequacy decision');
- there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for data subjects; or
- a specific exception applies under data protection law

These are explained below.

Adequacy decision

We may transfer your personal data to certain countries, on the basis of an adequacy decision. These include:

- all European Union countries, plus Iceland, Liechtenstein, and Norway (collectively known as the 'EEA');
- Gibraltar; and
- Andorra, Argentina, Canada, Faroe Islands, Guernsey, Israel, Isle of Man, Japan, Jersey, New Zealand, Switzerland, and Uruguay.

The list of countries that benefit from adequacy decisions will change from time to time. We will always seek to rely on an adequacy decision, where one exists.

Other countries we are likely to transfer personal data to do not have the benefit of an adequacy decision. This does not necessarily mean they provide poor protection for personal data, but we must look at alternative grounds for transferring the personal data, such as ensuring appropriate safeguards are in place or relying on an exception, as explained below.

Transfers with appropriate safeguards

Where there is no adequacy decision, we may transfer your personal data to another country or if we are satisfied the transfer complies with data protection law, appropriate safeguards are in place, and enforceable rights and effective legal remedies are available for data subjects.

The safeguards will usually include using legally approved standard data protection contract clauses.

Transfers under an exception

In the absence of an adequacy decision or appropriate safeguards, we may transfer personal data to a third country or international organisation where an exception applies under data protection law, eg:

- you have explicitly consented to the proposed transfer after having been informed of the possible risks;
- the transfer is necessary for the performance of a contract between us or to take pre-contract measures at your request;
- the transfer is necessary for a contract in your interests, between us and another person; or
- the transfer is necessary to establish, exercise or defend legal claims

We may also transfer information for the purpose of our compelling legitimate interests, so long as those interests are not overridden by your interests, rights, and freedoms. Specific conditions apply to such transfers and we will provide relevant information if and when we seek to transfer your personal data on this ground.

Further information

If you would like further information about data transferred outside the UK/EEA, please contact [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
Erasure (also known as the right 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 situations, 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 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
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For further information on each of those rights, including the circumstances in which they apply, please contact us (see ‘**How to contact us**’ below) 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:

- complete a data subject request form—available on request from info@wesolcitors.com; or
- email, call or write to us—see below: ‘**How to contact us**’; and
- provide enough information to identify yourself (*eg your full name, address and client or matter reference number*) and any additional identity information we may reasonably request from you;
- 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 continually test our systems and are ISO 27001 certified, which means we follow top industry standards for information security.

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.

If you want 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, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

How to complain

Please contact us if you have any query or concern about our use of your information (see below ‘**How to contact us**’). We hope we will be able to resolve any issues you may have.

You also have the right to lodge a complaint with the Information Commissioner or any relevant European data protection supervisory authority. The Information Commissioner may be contacted at <https://ico.org.uk/make-a-complaint> or by telephone: 0303 123 1113.

Changes to this privacy policy

This privacy policy was published in August 2021.

We may change this privacy policy from time to time when we do we will inform you in writing.

How to contact us

Individuals in the UK

You can contact us and/or our Data Protection Officer by post, email, or telephone if you have any questions about this privacy policy or the information we hold about you, to exercise a right under data protection law or to make a complaint.

Our contact details are shown below:

WE Solicitors LLP

Ivy Mill,
Crown Street,
Failsworth,
Manchester,
Lancashire,
M35 9BG

Tel: 0333 200 4232

Email: info@wesolicitors.co.uk

Individuals in the EEA

Individuals within the EEA can also contact us direct (see above)

Do you need extra help?

If you would like this policy in another format (for example audio, large print, braille) please contact us (see 'How to contact us' above).