

## Privacy policy—Sarfraz & Naydenov Solicitors

## Contents

1	Introduction.....	1
2	Your personal data.....	3
3	The purposes for which your information is used .....	5
4	Contacting you .....	7
5	Sharing your data with others .....	7
6	How your personal data is kept.....	8
7	Transferring your data out of the UK [and EEA] .....	9
8	Your rights in relation to your data .....	10
9	Keeping your data secure .....	11
10	Making a complaint .....	11
11	This policy .....	12

Approved Date:	24/06/2023
Valid from:	01/08/2023
<b>Version history</b>	
Date:	Changes made:
[date of update]	[details of update]
[date of update]	[details of update]

## 1 Introduction

- 1.1 Sarfraz & Naydenov Solicitors Limited, regulated by Solicitors Regulation Authority (SRA No 8004238), Company No (14754939), Registered office: 109 Church Street, Wolverton, Milton Keynes, MK12 5LD take privacy, and the security of your personal data, very seriously, and the directors are committed to ensuring that we safeguard your personal data at all times and in the best way possible.
- 1.2 This privacy policy contains important information for you. It explains:
- 1.2.1 who we are;
  - 1.2.2 what personal information we collect about you;
  - 1.2.3 how, when and why we collect, store, use and share your personal data;
  - 1.2.4 how we keep your personal data secure;
  - 1.2.5 for how long we keep your personal data;
  - 1.2.6 your rights in relation to your personal data, and
  - 1.2.7 how to contact us, or the relevant supervisory authorities, should you have a complaint.
- 1.3 So that we can provide legal services to you OR take your instructions we need to collect, use and process or deal with certain personal information about you (your **personal data**). When we do so we are subject to the provisions of the UK General Data Protection Regulation (**UK GDPR**), the Data Protection Act 2018, retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (UK GDPR) and any national implementing laws, regulations and secondary legislation, as revised or amended or updated from time to time, in the UK. We are responsible as what is described as a 'controller' of that personal information for the purposes of those laws. In other words, we are primarily responsible for that personal data and are the 'natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data'.

- 1.4 If you have any questions about the use to which we put your data please email us at [office@sn-solicitors.com](mailto:office@sn-solicitors.com) or write to Muhammad Sarfraz, Director at our registered company address given above.
- 1.5 This policy applies in all circumstances, but in particular where you (or someone or an organisation on your behalf):
- 1.5.1 instruct us to act on your behalf and/or to provide you with advice and/or information;
  - 1.5.2 enquire about instructing us;
  - 1.5.3 visit our website;
  - 1.5.4 submit an enquiry, make contact with us or sign-up to receive our newsletter;
  - 1.5.5 request information from us or provide information to us; and
  - 1.5.6 attend events or seminars hosted by us.
- 1.6 This policy will also apply where we:
- 1.6.1 conduct searches about you on public sources in connection with our marketing or business acceptance processes;
  - 1.6.2 agree to provide legal services to you or to the organisation for whom you work; or
  - 1.6.3 add you to a mailing or marketing list.
- 1.7 In other words, this policy will apply where we are acting as a data controller in relation to your personal data, and where we have a supervisory role in relation to how personal data is collected, stored, used and shared.
- 1.8 Please note that in general the services that we provide are not principally aimed at children. This is because children are generally represented by their parent(s) or guardian(s). If you are a child and you require further advice or explanation about how we will use your data, or if you represent the interests of a child and you would like the child to receive further advice and explanation, please contact us using the details set out in paragraph 1.4 above.
- 1.9 Please note that we use cookies on our website. Therefore, this policy should be read in conjunction with our cookie policy.
- 1.10 We are committed to preserving the privacy of your data so that we can:
- 1.10.1 deliver services of a high quality to all our clients;
  - 1.10.2 at all times comply with the law and the various regulations that we are subject to;
  - 1.10.3 preserve the confidentiality of your personal data in compliance with the provisions set out in the SRA Standards and Regulations
  - 1.10.4 meet the expectations of customers/clients, employees and third parties; and
  - 1.10.5 protect our reputation.

1.11 In this policy, please note the use of the following terms:

**personal data** has the meaning given to it by the [EU ] GDPR and means any information relating to an identified or identifiable individual (known as a 'data subject');

**processing** means any operation or actions performed on personal data; for example collection, recording, organisation, structuring, storing, altering, deleting or otherwise using personal data.

**we, us and our** refers to Sarfraz & Naydenov Solicitors

**you and your** refers to the person whose data is processed;

## 2 Your personal data

2.1 We may collect, store, use and share personal data relating to you in the course of acting for or advising you. The data we need to collect from you in order for us to be able to act for, or advise, you may include the following:

2.1.1 Your name and contact details including address, telephone number, mobile telephone number, and email address

2.1.2 Information about your gender where it is relevant, and you choose to provide this information.

2.1.3 Where you are located[where it is relevant, and you choose to provide this information.

2.1.4 Information about your online presence (for example LinkedIn, Twitter), whether you have linked to us or our Facebook or LinkedIn page where it is relevant, and you choose to provide this information.

2.1.5 Professional or trade-related information where it is relevant, and you choose to provide this information.

2.1.6 Information required by us in order to enable us to check and verify your identity (for example for anti-money laundering purposes or generally as a means of helping to prevent fraud). This may include passport details, driving licence details, date of birth, and *other information as appropriate*.

2.1.7 Information as to the matter in which we are acting or advising you.

2.1.8 Information required by us in order to carry out a financial or credit check.

2.1.9 Financial details relating to you, including details of your bank account if money is sent to you or is likely to need to be sent to you, billing information and credit card details.

2.1.10 The source of any funds being supplied by you in relation to any transaction that involves a purchase.

- 2.1.11 Your national insurance number and/or tax details.
- 2.1.12 Details of your spouse/partner and dependants or other family members. This applies where, for example, you have instructed us on a family matter or in connection with a will, trust or similar arrangement.
- 2.1.13 Details of your employment status and other related details including, but not limited to, salary and benefits, records relating to sickness and attendance, performance, disciplinary action taken in relation to you, conduct and grievances (including relevant special category personal data). This applies where, for example, you instruct us on a matter related to your employment, or where your employment status, income or employment records are relevant.
- 2.1.14 Details of your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs. This applies where, for example, you instruct us in relation to a discrimination or other similar claim.
- 2.1.15 Details of your nationality and immigration status, and information from related documents, such as your passport or other identification and immigration information. This applies where, for example, you instruct us on an immigration matter.
- 2.1.16 Details of your pension arrangements. This applies where, for example, you instruct us on a pension matter or in relation to financial arrangements following the breakdown of a relationship.
- 2.1.17 Details of your trade union membership. This applies where, for example, you instruct us on a discrimination claim, or your matter is funded by a trade union.
- 2.1.18 Details of your medical records and of any injuries, and other personal, physical, mental or medical details. This applies where, for example, we are acting for you in a personal injury claim.
- 2.1.19 Marketing and communications data including, where relevant, your preferences in relation to receiving marketing and communications from us.
- 2.1.20 Transaction data, including details about any payments to and from you.
- 2.1.21 Technical data, including internet protocol (IP) address, login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technological data relating to your use of our website.
- 2.1.22 Details of your visits to our offices and CCTV footage
- 2.2 Note that failure to provide the personal data requested may prevent us from acting for you or may delay the provision of services.
- 2.3 In most cases we will collect data about you directly from you by letter, by email, using a secure portal on our website, by phone or at a meeting with you. However, we may also need to acquire information about you:
  - 2.3.1 from publicly-available sources such as HM Land Registry, Companies House, professional records and other membership records;

- 2.3.2 from third-party services such as screening suppliers, credit reference agencies, and due diligence suppliers
- 2.3.3 from third parties with whom you have a relationship, including banks, building societies, financial institutions, other professionals and advisers, employers, professional bodies, doctors, and trade unions
- 2.3.4 through information technology-related methods, including by the use of cookies on websites, CCTV, messaging systems, access control systems, email, and instant messaging services,
- 2.4 Please note that it is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.
- 2.5 We may also obtain personal data about you in relation to your use of our website. This information may include your computer's IP address and the operating system and web browser that you use to access our website. It enables us to identify who has visited our website. This information is used to produce statistical data on the use of our website and to help us to enhance the user experience in the future.

### **3 The purposes for which your information is used**

- 3.1 Data protection law requires that we only use your personal data for the purposes for which it was acquired, or where we have a proper reason for using it. Those reasons may include the following:
  - 3.1.1 Where you have given consent to the use of your personal data for one or more specific purposes.
  - 3.1.2 Where the use is necessary for the performance of a contract to which you are party, or in order to take steps at your request prior to entering into a contract.
  - 3.1.3 Where the use is necessary for compliance with a legal obligation that we are subject to.
  - 3.1.4 Where the use is necessary in order to protect your vital interests or those of another person.
  - 3.1.5 Where the use is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.
  - 3.1.6 Where the use is necessary for the purposes of our legitimate interests or those of a third party, except where those interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data, in particular where you or the relevant person is a child.
- 3.2 The reasons set out above represent the general position as to the purposes for which your personal data may be used. The specific position in relation to your personal data, however, is that we may use it for the following purposes:
  - 3.2.1 To provide you with legal services, advice or representation so that we can comply with our contract with you and/or take any steps that it is necessary for us to take before entering into a contract with you.

- 3.2.2 To prevent or detect fraud, either against you or against any other person involved in any matter in which you are involved. This will help to prevent any damage either to you, a third party or to us.
  - 3.2.3 To carry out identity checks and undertake information gathering and audits as required by the Solicitors Regulation Authority OR Institute of Chartered Accountants in England and Wales or other regulatory bodies to comply with any legal and/or regulatory obligations to which you or we are subject.
  - 3.2.4 To carry out anti-money laundering checks.
  - 3.2.5 To undertake financial, embargo/sanction list and other security checks, and such other processing activities as are required for legal and regulatory compliance generally or specifically by your or our regulator(s).
  - 3.2.6 To gather and provide any information required by or relating to audits, enquiries or investigations by your, or our, regulator(s).
  - 3.2.7 To preserve the confidentiality of commercially sensitive information, and for our legitimate interests or those of a third party in relation to the protection of our, or another's, intellectual property, and other commercially valuable information.
  - 3.2.8 To comply with our legal and regulatory obligations.
  - 3.2.9 To comply with our internal business policies, and for operational reasons such as security, confidentiality, competency and efficiency control, training and client care. This will help us to deliver the best service to you.
  - 3.2.10 For audits and external quality reviews in relation to standards adopted by us (for example Lexcel, the Conveyancing Quality Standard, ISO standards and other professional standards
  - 3.2.11 For statistical analysis to enable us better to manage our business, for example in relation to our financial performance, client base, and range of services.
  - 3.2.12 For maintaining and updating records to ensure accuracy of processing and preventing unauthorised access and modifications to systems, and to prevent and detect criminal activity that could be damaging for us and for you.
  - 3.2.13 To comply with legal and regulatory obligations, and to make information returns to regulators and legally constituted bodies.
  - 3.2.14 To ensure safe working practices, and for staff administration and assessment purposes.
  - 3.2.15 For marketing our services to existing and former clients and third parties.
  - 3.2.16 For credit control and credit reference checks in relation to the services that we perform.
- 3.3 The purposes set out above will not apply to what is termed 'special category personal information'. This includes personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic and biometric data capable of identifying you, and data concerning health, sex life or



sexual orientation. We will only ever process information of that nature with your explicit consent.

#### **4 Contacting you**

4.1 In addition to the general matters dealt with in paragraph 3.2 above, we may also need to send you updates concerning legal and other relevant developments in relation to you, the matter in connection with which we are instructed, your personal business or family interests, or other related matters which might concern you, or be of interest to you. This may be by post, telephone, email or text, and may include information about the legal and other services that we offer, and information relating to changes in those services.

4.2 We regard ourselves as having a legitimate interest in processing your personal data for these purposes, and we take the view that we do not require your consent in order to do so. From time to time we undertake what are known as 'legitimate interest assessments' in order to balance our interests in contacting you with your interests in relation to your data. Where we believe that consent is required, we will contact you specifically for this and will do so in a clear and transparent manner.

4.3 Be assured that we treat your personal data with the utmost respect and will never share it with others for marketing or promotional purposes. You have, at all times, the right to request that we do not contact you for any purpose other than carrying out the matter which we are instructed to undertake. We may, however, require that you confirm your marketing preferences from time to time so that we can be sure that your views remain the same, especially in relation to issues such as legal and regulatory updates.

#### **5 Sharing your data with others**

5.1 Notwithstanding the fact that we will not share your personal data for marketing purposes, it may be necessary for us to share your personal data with others. This may be in order to:

5.1.1 carry out our legal services for you;

5.1.2 provide advice, assistance and representation to you;

5.1.3 comply with our contractual obligations to you; or

5.1.4 comply with any legal or regulatory obligations to which you or we are subject.

5.2 Those with whom we may share your personal data include:

5.2.1 professional advisers used in connection with the matter in which we are instructed by you, for example solicitors, barristers or other lawyers, accountants, advisers, experts, medical professionals, and search agents

5.2.2 third parties involved in the matter in which we are instructed by you, for example financial services providers, banks, building societies, insurers and registrars;

5.2.3 government and similar organisations such as HM Land Registry, Companies House and HM Revenue and Customs;

5.2.4 others within our business;

5.2.5 your/our regulator(s);

- 5.2.6 credit reference agencies in connection with our contract with you;
  - 5.2.7 our bank, insurers and insurance brokers;
  - 5.2.8 external auditors in relation to the audits and external quality reviews referred to above;
  - 5.2.9 suppliers of services required in relation to your matter; and
- 5.3 When sharing your personal data, we will ensure at all times that those with whom it is shared process it in an appropriate manner and take all necessary measures in order to protect it. In doing so we impose contractual obligations on all providers of services to ensure that your personal data is kept secure. We will only ever allow others to handle your personal data if we are satisfied that the measures which they take to protect your personal data are satisfactory.
- 5.4 Please be aware that, from time to time, we may be required to disclose personal data and exchange information about you, or relating to you, with government, law enforcement and regulatory bodies and agencies in order to comply with our own legal and regulatory obligations.
- 5.5 During the course of, and sometimes following the conclusion of, our instructions from you we may need to share your personal data with other third parties, for example those involved in a relevant or related transaction. We will only share that information which it is necessary and relevant to share.
- 5.6 We may also need to share some personal information 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. The recipient of the information will be bound by confidentiality obligations.
- 5.7 From time to time it may be necessary for us to share data for statistical purposes, for example with our regulatory body. We will always take steps to try to ensure that information shared is anonymised; and where this is not possible we will require that the recipient of the information keeps it confidential at all times. Steps will be taken at such time to ensure that the sharing of this information does not lead to a conflict between your interests and those of another client, third party or ourselves.
- 5.8 Other than as set out above, we will not share your personal data with any other third party.

## **6 How your personal data is kept**

- 6.1 Your personal data will be kept secure at all times.
- 6.2 Your personal data may be held at our office, at third party agencies and service providers, and by our representatives and those agents used by us.
- 6.3 Some of your data may be held on our legal software we use, named as Clio. Clio has its own policy to safeguard data stored on their platform. Where this takes place outside the UK /EEA then the provisions set out in Paragraph 7 below will apply.
- 6.4 We operate various security measures in order to prevent loss of, or unauthorised access to, your personal data. In order to ensure this, we restrict access to your personal data to those with a genuine business need to access it, and we 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.

6.5 In addition, we take the following steps to protect your personal data: we only use authentic licensed software packages such as Outlook for emails.

6.6 Personal data that is processed by us will not be retained for any longer than is necessary for that processing, or for purposes relating to or arising from that processing.

6.7 Where your personal data is retained after we have finished providing our services to you, or where the contract with you has ended in any other way, this will generally be for one of the following reasons:

6.7.1 so that we can respond to any questions, complaints or claims made by you or on your behalf;

6.7.2 so that we are able to demonstrate that your matter was dealt with adequately and that you were treated fairly; or

6.7.3 in order to comply with legal and regulatory requirements.

6.8 In general, we will retain your data for only so long as is necessary for the various objectives and purposes contained in this policy. Please note, however, that different periods for keeping your personal data will apply depending upon the type of data being retained and the purpose of its retention.

6.9 We will retain your personal data as follows:

6.9.1 contact details—so that we can inform you of updates concerning our services and about relevant developments in relation to you, the matter about which you instructed us, or other related matters which might concern you, or be of interest to you;

6.9.2 accounts data, money laundering checks data documents—for such period as they continue to be required in order adequately to conclude all of your matters; and

for such time as is necessary for compliance with a legal obligation that we are subject to, or in order to protect your vital interests or the vital interests of another natural person.

6.10 We will delete and/or anonymise any personal data which it is no longer necessary for us to retain.

## **7 Transferring your data out of the UK [and EEA]**

7.1 In order for us to provide you with the services in connection with which we have been instructed, it may be necessary for us to share your personal data with those who are outside the UK/EEA; where, for example, those persons have offices outside the UK/EEA, are based outside the UK/EEA, where electronic services and resources are based outside the UK/EEA or where there is an international element to the instructions we have received from you. Where this is the case, special rules apply to the protection of your data.

7.2 It may be necessary during the course of your transaction for us to transfer personal data relating to you to one or more of the following countries which have been assessed by the Secretary of State or, where the EU GDPR applies, by the European Commission as providing an adequate level of protection for personal data: all EU and EEA countries.

7.3 We may also need to transfer your personal data to countries that have not been assessed by the Secretary of State or, where the EU GDPR applies, by the European Commission as providing adequate protection. In such cases we will always take steps to ensure that, wherever possible, the transfer complies with data protection law, and that your personal data will be secure. We use standard data protection contract clauses which have been approved by the Secretary of State or the European Commission in such circumstances.

7.4 For further information please contact us OR Muhammad Sarfraz (our Data Manager).

## 8 Your rights in relation to your data

8.1 Data protection legislation gives you, the data subject, various rights in relation to your personal data that we hold and process. These rights are exercisable without charge, and we are subject to specific time limits in terms of how quickly we must respond to you. Those rights are, in the main, set out in Articles 12–23 of the UK/EU GDPR. They are as follows:

8.1.1 **Right of access**—the right to obtain, from us, confirmation as to whether or not personal data concerning you is being processed, and, where that is the case, access to that personal data and various other information, including the purpose for the processing, with whom the data is shared, how long the data will be retained and the existence of various other rights (see below).

8.1.2 **Right to rectification**—the right to obtain from us, without undue delay, the putting right of inaccurate personal data concerning you.

8.1.3 **Right to erasure**—sometimes referred to as the ‘right to be forgotten’, this is the right for you to request that, in certain circumstances, we delete data relating to you.

8.1.4 **Right to restrict processing**—the right to request that, in certain circumstances, we restrict the processing of your data.

8.1.5 **Right to data portability**—the right, in certain circumstances, to receive the personal data which you have provided to us, in a structured, commonly used and machine-readable format, and the right to have that personal data transmitted to another controller.

8.1.6 **Right to object**—the right, in certain circumstances, to object to personal data being processed by us where it is in relation to direct marketing, or in relation to processing supported by the argument of legitimate interest.

8.1.7 **Right not to be subject to automated decision making**—the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

8.2 Full details of these rights can be found in the UK/EU GDPR or by reference to guidance produced by the Information Commissioner’s Office.

8.3 In the event that you wish to exercise any of these rights you may do so:

8.3.1 by contacting us using any medium you wish, including in writing, by telephone, by text, electronically, or using such social media as we employ for communication purposes;

8.3.2 by completing a form which we can supply to you for this purpose; or

8.3.3 through a third-party whom you have authorised for this purpose.

8.4 Please bear in mind that there are some restrictions on your rights to exercise the rights set out above and that, in some cases, if you choose to exercise those rights we will be unable to perform the instructions you have given us. If that is the case, we may need to cease to act for you.

## **9 Keeping your data secure**

9.1 In order to ensure that data is kept secure, and to prevent there being any breach of confidentiality, we have put in place security measures which are intended to prevent your personal data from being accidentally lost or used or accessed unlawfully. Access to your personal data is restricted to those with a need to access it, and regard will be had to the need for confidentiality when that personal data is processed.

9.2 Our systems are subject to rigorous testing, meaning that we observe industry standards for information security.

9.3 In the event that there is a suspected data security breach you will be notified. Where relevant we will also inform the appropriate regulator (including the Information Commissioner's Office) of a suspected data security breach where we are legally required, or have a regulatory obligation, to do so.

9.4 Please note that the transmission of information via the internet is not completely secure. Although we will do our best to protect personal data, we cannot guarantee the security of any data transmitted to us via our website, or to or from us via email. Any transmission using these methods is at your risk. Once we have received your information, we will be able to set up procedures and security features, such as encrypted emails, to try to prevent unauthorised access.

9.5 We also take appropriate steps to keep your personal data safe from unauthorised access, improper use or disclosure, unauthorised modification, or unlawful destruction or accidental loss consistent with applicable law. This applies both to electronic and physical data, and to that end our premises are access controlled and electronic data requires users to use login and password authentication.

9.6 Our directors OR partners, staff and third-party service providers who have access to your personal data are subject to confidentiality obligations.

## **10 Making a complaint**

10.1 If you have any queries as to the acquisition, use, storage or disposal of any personal data relating to you please contact us OR Muhammad Sarfraz (our Data Manager)].

10.2 We can be contacted at [Muhammad.sarfraz@sn-solicitors.com](mailto:Muhammad.sarfraz@sn-solicitors.com)

10.3 Notwithstanding our best efforts, inevitably sometimes things do go wrong. If you are unhappy with any aspect of the use and/or protection of your personal data, you have the right to make a complaint to the Information Commissioner's Office, who may be contacted in writing at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF; by telephone on 0303 123 1113; by fax on 01625 524510; or online at [www.ico.org.uk](http://www.ico.org.uk).

**11 This policy**

- 11.1 This privacy policy was published on 08/09/2023 and last updated on 08/09/2023.
- 11.2 The terms and provisions of this privacy policy may be changed, updated and amended from time to time. If we do so during the time when we are providing you with services then we will inform you of those changes.
- 11.3 If you would like this policy to be supplied to you in another format for example audio, large print, braille please contact us at the address in paragraph 10.2 above.