

Privacy Policy

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.

When we use your personal data we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal data for the purposes of the GDPR. Our use of your personal data is subject to your instructions, the GDPR, other relevant UK and EU legislation and our professional duty of confidentiality.

Key terms

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

We, us, our	Cuff and Gough LLP
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 • Data concerning health, sex life or sexual orientation

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 occupation • Information to enable us to check and verify your identity, eg your date of birth or passport details	• Your National Insurance, tax details and citizenship • Your various bank and/or building society details • Details of your professional online presence, eg google, Facebook,

• Electronic contact details, eg your home telephone number, email address and mobile phone number • Information relating to the matter in which you are or may in the future be seeking our advice or representation • Information to enable us to undertake a credit or other financial checks on you • Your financial details so far as relevant to your instructions Information about your use of our IT, communication and other systems, and other monitoring information	• LinkedIn, twitter, Instagram profiles, Professional registers and publicly available information • Details of your spouse/partner and dependants or other family members • Your employment status and details including salary and benefits • Your nationality and immigration status and information from related documents, such as your passport or other identification, and immigration information • Your employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances (including relevant special category personal data) • We do not ordinarily collect any Special category personal data such as your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs but on occasion this may be required if relevant to your instructions • Your trade union membership, if relevant to your instructions • Personal identifying information, such as your eye colour or your parents' names, if relevant to your instructions • Your medical records, if relevant to your instructions
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We have a legitimate interest in processing this data as well as a legal obligation in relation to some of it, we may also request it in order to enable us to provide our services to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you. It is your obligation to ensure you keep us informed of the accuracy of all relevant data.

How your personal data is collected

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

- from publicly accessible sources, eg Companies House or HM Land Registry
- directly from a third party
- via our website using our on line quote or enquiry forms
- via our information technology (IT) systems

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:

- Contact Details
- Existing Policy Details
- Basic Medical Information
- Date of Birth

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, our reasons for doing so and why the law allows this:

What we use your personal data for	Our reasons
To provide legal services to you (including an initial conflict of interest check)	For the performance of our contract with you or to take steps at your request before entering into a contract
• Conducting checks to identify our clients and verify their identity • Screening for financial and other sanctions or embargoes • Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, eg by our professional regulator, the SRA and/or Law Society, HMRC, the courts and/or law enforcement agencies	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies such as the SRA,	To comply with our legal and regulatory obligations

Law Society, HMRC, courts and/or law enforcement agencies	
Ensuring business policies are adhered to, eg privacy, data protection, AML and counter terrorist financing and policies covering security and internet use	To comply with our contractual obligations, legal and regulatory requirements as well as 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 and practical matters such as document storage on or off site	To comply with our contractual obligations, legal and regulatory requirements as well as 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 for you at the best price
Ensuring the confidentiality of commercially sensitive information	To comply with our contractual obligations, legal and regulatory requirements as well as for our legitimate interests or those of a third party, ie to protect our intellectual property and other commercially valuable information
Statistical analysis to help us manage our practice	For our legitimate interests or those of a third party
Updating client records	• To comply with our contractual obligations, 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 and regulatory returns eg to HMRC, SRA and/or our Professional Indemnity Insurers	To comply with our contractual obligations, legal and regulatory obligations
Ensuring safe working practices, staff administration and assessments	• To comply with our legal and regulatory obligations and 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, eg to make sure we are following our own internal procedures

	and working efficiently so we can deliver the best service to you
Credit reference checks via external credit reference agencies	For our legitimate interests or a those of a third party, ie for credit control
External audits and quality checks, eg for CQS	• To fulfil our contractual obligations and 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 (see Key Terms), which we will only process with your explicit consent in accordance with the legal requirements relating to consent in such circumstances.

Who we share your personal data with

We may share personal data with:

- professional advisers whom we instruct on your behalf or to whom we 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 CQS accreditation and the audit of our accounts by our accountants;
- our bank;
- external service suppliers, representatives and agents that we use to make our business more efficient.

We try to ensure that our service providers handle your personal data on the basis that they take appropriate measures to protect your personal data.

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 (or their agents) of some or all of our business or during a re-structuring. The recipient of the information will be bound by confidentiality obligations.

Where your personal data is held

Information may be held at our offices (or off site) by 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 EEA**'.

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

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.

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

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 any);
- if you are based outside the EEA;
- where there is an international dimension to the matter on which we are advising you.

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

Type of Record	Retention Period
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Access, known as a Subject Access Request	The right to be provided with a copy of your personal data in accordance with the provisions of the law which you can reference on the ICO website
Rectification	The right to require us to correct any mistakes in your personal data. We rely on you to inform us in the first instance of any amendments to your data that are required
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
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 services to you. We will advise you if this is the case at the time you withdraw your consent
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 if these are superseded by your legitimate interests
All Other Investments and Protection	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 <https://ico.org.uk>

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

- email, call or write to us as detailed below: '**How to contact us**'; and

- let us have enough information to identify you (*eg your full name, address and client or matter reference number*);
- 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 seek to use appropriate technical and organisational measures to:

- prevent personal data from being accidentally lost, or used or accessed unlawfully;
- ensure those processing your information will do so only in an authorised manner;
- have appropriate 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.

How to complain

We hope that we can assist you with 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. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone: 0303 123 1113.

We will send you a letter acknowledging receipt of your complaint within thirty days of your receiving the complaint. We will then investigate your complaint in line with our complaints policy, which can be accessed via our website.

Changes to this privacy policy

This privacy policy is regularly reviewed.

We may change this privacy policy from time to time, when we do we will inform you via publication of our privacy notice on our website cuffandgough.com and/or by contacting you direct.

How to contact us

Please contact us and/or GDPR & Data Protection Liaison Partner by post, email or telephone if you have any questions about this privacy policy or the information we hold about you.

Our contact details are shown below:

Cuff and Gough LLP

Lamborn Place
26 High Street
Banstead SM7 2LJ

Tel: 01737 851827

email: law@cuffandgough.com