



Charles A Marshall Lawyers Limited

Privacy Policy

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Introduction

This Privacy Policy tells you how we, Charles A Marshall Lawyers Limited (“we, us, our”) obtain, store and use your personal information, together with your rights in relation to your personal data and how to contact us or supervisory authorities in the event that you have a complaint.

This Privacy Policy will inform you as to how you can request that we delete, update, transfer and/or provide you with access to the personal information which we process and we therefore ask that you take some time to read and understand this.

In relation to the processing of your personal data, we are regulated under the General Data Protection Regulation (GDPR) and are responsible as a controller of that personal data. When using your personal data, we are subjected to rules of (i) GDPR, (ii) other relevant UK and EU legislation, (iii) your own instructions and; (iv) our professional duty of confidentiality.

Our Data Protection Officer is Julia Rutter who is located at our registered office, namely 917 Garstang Road, Barton, Lancashire, PR3 5AB. Email Julia.rutter@charlesamarshall.com. Telephone 01995 641067.. Please mark any correspondence to the 'Data Protection Officer'.

We are a company registered in England and Wales under Company Number 11139997 and we are regulated by the Chartered Institute of Legal Executives under Regulation Number 2184203

We are registered with the Information Commissioner's Office under registration number ZA487746.

Charles A Marshall Lawyers Limited used cookies to give you a better experience on our website.

The information that we collect and where we get it from

We require personal data to enable us to provide a service to you. We will request the information from you directly. We may be prevented from providing services to you should you refuse to provide us with the personal data we request. The following is a list of what information we will usually request from you however, further information may be necessary in some situations:

- **Your Personal Details** – name, address, telephone, DOB, email, NI number. We will also require formal identification, such as photo-card driving licence or passport to verify your identity;
- **Financial Information** – bank account or credit card statements. This may be necessary when you are claiming a loss of income and/or credit hire charges to determine impecuniosity;
- **Employment** – current occupation and income. It may be appropriate in some circumstances to contact your employer or to obtain financial documentation relating to your employment records, such as when you are bringing a claim for loss of earnings;
- **Trade Union membership/insurance documentation** – in a personal injury matter we will require this information so as to determine how to correctly fund the matter;
- **Medical records** – if you are claiming injury then we may need to view your medical history;

- **Your immediate family member details** – name, address, telephone, DOB, email;
- **IP address** – if you are asked to provide an electronic signature we will be provided with your IP address.

As well as requesting the information above from you directly we may also collect information from other sources, such as Companies House, credit reference agencies and client due diligence providers. Our website may also provide us with your personal information however, this will only be when you have entered your details.

Our IT systems, such as our case management system, CCTV, emails, text messaging service may also provide us with and store your information.

With your consent, it may also be appropriate for us to obtain information from your (i) bank, building society or credit card providers; (ii) consultants and other professionals; (iii) the police; (iv) your employer; (v) trade union; (vi) professional body or pension administrators; and (vii) your GP, medical and occupational health professionals.

How we use the information we collect

We can only use your personal data if we have a proper reason for doing so, for instance:

- To carry out the terms of our contract with you;
- To take steps, at your request, prior to entering into a contract with you;
- To carry out legal services;
- For our legitimate interests or those of a third party;
- Where you have given consent; or
- To comply with our legal and regulatory obligations.

Grounds for using your personal information

We rely on the following legal grounds to process your personal information, namely:

- **Consent**– we process personal data when we have consent to do so. By submitting your personal information to us, you consent to the use of that information. You can withdraw your consent by contacting us (see above).
- **Performance of a contract**– we may need to collect and use your personal information to enter into a contract with you or to perform our obligations under a contract with you.

- **Legitimate interest**– we may use your personal information for our legitimate interests, such as to promote our services to you.
- **Compliance with law or regulation**– we may use your personal information as necessary to comply with applicable law/regulation.

Your Choices and Rights

We need to make you aware of the rights you hold under data protection law. The rights available to you depend on our reason for processing your information:

- **Your right of access** – you have the right to ask us for copies of your personal information. This right always applies however, there are some exemptions which means you may not always receive all the information we process.
- **Your right to rectification** – you have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete. This right always applies.
- **Your right to erasure** – you have the right to ask us to erase your personal information in certain circumstances.
- **Your right to restriction of processing** – you have the right to ask us to restrict the processing of your information in certain circumstances.
- **Your right to object to processing** – you have the right to object to processing if we are using your data (i) for a task carried out in the public interest; (ii) for our legitimate interests; (iii) for scientific or historical research, or statistical purposes; or (iv) for direct marketing.
- **Your right to data portability** – this only applies to information you have given us. The right only applies if we are processing information based on your consent or under, or in talks about entering into a contract and the processing is automated.

If you think that any of your rights have been infringed by us then we would ask that your first raise this with our Data Protection Officer. Alternatively, you can lodge a complaint with the relevant data protection authority. The supervisory authority within the UK is the Information Commissioner’s Office (“ICO”) who can be contacted on 0303 123 1113 or via their website at <https://ico.org.uk/make-a-complaint/>

You are not required to pay any charge for exercising your rights. Should you make any of the above requests then we have a period of one month to respond to you.

We confirm that we do not use automated individual decision-making software.

How we share information with third parties

We will not share your information with any third parties for the purposes of direct marketing however, we may share your personal information with third parties, only to the extent necessary to run our business, provide a service to you, comply with the law, enforce our legal rights or because you have provided consent. This may include the following:

- Third parties relevant to the services that we provide, such as medical professionals, barristers, other experts, Companies House, Motor Insurer Bureau, The Claims Portal, relevant insurance companies;
- External service suppliers, such as cashiering services;
- Third party agents/suppliers or contractors, in connection with the processing of your personal information for the purposes described in this Policy.
- Where it is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim, or for the purposes of a confidential alternative dispute resolution process.
- To the extent required by law, regulation or court order, for example, if we are under a duty to disclose your personal information in order to comply with any legal obligation.
- External auditors
- Our bank(s)

Transferring your information outside of Europe

We may transfer your personal information outside of the European Economic Area.

If we do transfer your personal data outside the EEA:

- it will be because you have consented or because we have a legal reason to do so; and
- we will take steps to ensure that appropriate security measures are taken with the aim of ensuring that your privacy rights continue to be protected as outlined in this Policy.

Keeping your information and information security

How long we hold your personal information for will vary and will depend principally on:

- the purpose for which we are using your personal information – we will need to keep the information for as long as is necessary for the relevant purpose, and

- legal obligations – laws or regulation may set a minimum period for which we have to keep your personal information.

We will ensure that the personal information that we hold is subject to appropriate security measures.

Changes to our privacy policy

This privacy policy was published on 08 March 2018.

We may change the Privacy Policy from time to time in line with legislation or industry developments. We will not explicitly inform our clients or website users of these changes. Instead, we recommend that you check this page occasionally for any policy changes.

How to contact us and other important information

If you would like further information on the collection, use, disclosure, transfer or processing of your personal information or the exercise of any of the rights listed above, please contact us. You can do this by writing to us at the contact details given above.