



CHARLES A MARSHALL
LAWYERS LIMITED

Privacy Policy Notice

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 Office 17B, Blackpool Technology Centre, Faraday Way, Blackpool, FY3 0JW. Email Julia.rutter@charlesamarshall.com. Telephone 01253 385982. 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.

Using our contact form

If you submit your personal details to us by completing and submitting our contact form, we will use your information to:

- Contact you to respond to your request for contact;
- Send information to you about the firm and its services, where you have given us express authority to do so.

We will add your contact details to our electronic database and keep them for as long as you provide your consent for us to use your contact details in this way.

Our lawful basis for using your information in this way will be two-fold:

- For our legitimate interests in marketing our services; and
- Upon your express consent (where required by law).

Will not share information received through our contact form with any third party unless you expressly authorise us to do so or we are required by law.

Telephoning our Offices

We record all incoming and outgoing telephone calls for the following reasons:

Quality monitoring: to help us to monitor our service levels;

Training: to help us to identify training needs and to provide training material from different scenarios we encounter when making or receiving telephone calls;

Complaints and disputes: to provide us with additional information to help us with investigations for complaints or disputes;

Staff protection: to provide us with evidence in the event of abusive behaviour towards our staff.

Our legal basis for recording calls is to protect our legitimate interests in ensuring that we have the information available for the reasons stated above.

Call recordings may be disclosed to third parties if required to settle a dispute or report any abusive behaviour. Call recordings will also be disclosed to third parties if required by law.

Call recordings are stored by the firm and are not transferred outside of European Economic Area (EEA).

All call recordings are kept for 30 days as standard however, they may be retained for up to 12 months unless being downloaded prior to permanent deletion.

Visiting our Offices

Closed Circuit Television (CCTV) is in operation at our office premises. CCTV operated both in the spaces immediately outside of our office premises and at various points inside or our office premises.

We believe that use of CCTV is necessary for our legitimate interests in:

- Preventing crime and protecting our office premises and assets from damage, disruption, vandalism and other crime;
- for the personal safety of staff, visitors and other members of the public and to act as a deterrent against crime;
- to support law enforcement bodies in the prevention, detection and prosecution of crime; to assist in day-to-day management, including ensuring the health and safety of staff and others;
- to assist in the effective resolution of disputes which arise in the course of disciplinary or grievance proceedings;
- to assist in the defence of any civil litigation, including employment tribunal proceedings;
- to assist in effective day-to-day supervision of staff.

This list is not exhaustive and other purposes may be or become relevant.

CCTV recordings are managed by the building owners firm and are not transferred outside of the European Economic Area (EEA).

CCTV recordings are kept for 14 days after which time they are then overwritten with new recordings.

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. Please see the attached link for further information <https://ico.org.uk/your-data-matters/your-right-of-access/>
- **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. Please see the attached link for further information <https://ico.org.uk/your-data-matters/your-right-to-get-your-data-corrected/>
- **Your right to erasure** – you have the right to ask us to erase your personal information in certain circumstances. Please see the attached link for further information <https://ico.org.uk/your-data-matters/your-right-to-get-your-data-deleted/>
- **Your right to restriction of processing** – you have the right to ask us to restrict the processing of your information in certain circumstances. Please see the attached link for further information <https://ico.org.uk/your-data-matters/your-right-to-limit-how-organisations-use-your-data/>

- **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. Please see the attached link for further information <https://ico.org.uk/your-data-matters/the-right-to-object-to-the-use-of-your-data/>
- **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. Please see the attached link for further information <https://ico.org.uk/your-data-matters/your-right-to-data-portability/>

If you think that any of your rights have been infringed by us then please 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.

Contacting You

We may correspond with you by email if you provide us with an email address, unless you advise us in writing that you do not wish us to do so. You acknowledge that email may not be secure. Email will be treated as written correspondence and we are entitled to assume that the purported sender of an email is the actual sender and that any express or implied approval or authority referred to in an email has been validly given. Please be aware that the Firm may monitor and read any email correspondence travelling between you and any mail recipient at the Firm as part of its monitoring activities to ensure compliance with its Information Management & Security Policy.

We will aim to communicate with you by such method as you request. More often than not this will be in writing but may be by telephone if it is appropriate.

Where you provide us with fax or email addresses for sending material to, you are responsible for ensuring that your arrangements are sufficiently secure and confidential to protect your interests. You must tell us if this method of communication is not secure so that we can use an alternative method.

Protecting Personal Data

The Internet is not secure and there are risks if you send sensitive information in this manner or you ask us to do so. Please be aware that the data we send by email is not routinely encrypted.

We will take reasonable steps to protect the integrity of our computer systems by screening for viruses on email sent or received. We expect you to do the same for your computer systems.

Bank Details

It is very unlikely that we will change our bank account details during the course of your matter. In any event, we will never contact you by email to tell you that our details have changed. If you receive any communications purporting to be from this firm, that you deem suspicious or have any concerns about (however slight), please contact our office by telephone straightaway.

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. This may include, but is not limited to, website hosting; IT; and communications service providers;
- 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.

Links to other websites

Our website may contain links to other websites run by other organisations. This privacy policy applies only to our website. We therefore encourage you to read the privacy statements on the other websites you visit. We cannot be responsible for the privacy policies and practices of other sites even if you access them using links from our website.

In addition, if you linked to our website from a third-party site, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party site and recommend that you check the policy of that third party site.

Children

We do not knowingly collect or solicit personal data from anyone aged 16 or under or knowingly allow such persons to provide us with their personal data without the consent of a parent, guardian or litigation friend. If you are aged 16 or under, please get the permission of your parent, guardian or

litigation friend before using our website and before providing any personal data to us. In the event that we learn that we have collected personal data from anybody aged 16 or under whilst not having the consent of a parent, guardian or litigation friend then we will delete that information as soon as possible. If you believe that we might have any personal data from or about anyone aged 16 or under without the consent of a parent, guardian or litigation friend then please contact the Data Protection Officer on the details given above.

Cookies

Cookies are text files placed on your computer to collect standard log information and to track visitor behaviour. This information is used to track visitor use of the website and to compile statistical reports on website activity.

Most browsers automatically accept cookies unless you change your internet browser settings. If you do wish to restrict, block or delete the cookies then you can do this through the settings within your own internet browser. You can find out how to do this, and find more information on cookies, at: www.allaboutcookies.org. Parts of our website may not be accessible if your settings preferences are set to block all cookies.

There are two main types of cookies:

- Session Cookies – these are deleted when you finish browsing a website and are not stored on your computer longer than this; and
- Persistent cookies – these are stored on your computer after you have finished using a website so that the website provider can remember your preferences the next time you visit their site.

We use Google Analytics Cookies which is a session cookie. The reason we use this cookie is to collect information about how visitors use our website, including details of the site where the visitor has come from and the total number of times a visitor has been to our website. We use the information to improve our website and enhance the experience of its visitors.

If you are a current employee or former employee

How We Use Your Personal Data

We obtain your personal information for the following purposes:

- Contact details;
- Bank details;

- Pension details;
- Tax details;
- Pay details;
- Annual leave details;
- Sick leave details;
- Performance details;
- Qualifications;
- Employment history;
- Ethnicity details;
- Disability details;
- Training records;
- DBS records (as required).

Legal Basis For Processing Your Personal Data

We keep your information confidential and will not disclose it to third parties unless disclosure is:

Authorised by you:

- Necessary for the performance of a contract;
- Required by law or our professional rules;
- Necessary for the purposes of our legitimate interests or those of a third party (in other words, we have a compelling justification for the disclosure); or
- Necessary to protect your vital interests or those of another person i.e. to protect a life.

Our legal basis for processing your personal data is two-fold:

- For our legitimate interests in ensuring that we have adequate personnel records; and
- To meet our legal obligations as employers.

Sharing Your Personal Data

We will share your information with the following third parties:

- HMRC;
- The firm's pension provider;
- The firm's payroll provider;

- The firm's IT support provider;
- CILEx Regulation (as applicable);
- SRA Regulation (as applicable).

Retention of Your Personal Data

Your employee file for the duration of your employment plus 6 years following the end of your employment.

Transferring Your Personal Data Outside of the European Economic Area

We do not send or store any of your information outside of the European Economic Area.

Changes to our privacy policy

This privacy policy was published on 16 October 2024.

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.