

## Introduction

Hillyer McKeown LLP is committed to protecting the privacy of our clients and website visitors. We understand the importance you place on the privacy and security of information which personally identifies you, and we value our relationship with you. Whether you are a first-time visitor or client or a regular user of our services, we take your privacy seriously. This document sets out our Privacy Policy and defines data processing of personal records in accordance with General Data Protection Regulations (GDPR).

### Scope

This policy is applicable to all areas processing personal records containing personal data at Hillyer McKeown LLP.

### Responsibilities

Any questions or requests surrounding this policy should be directed to Mr Paul Beckett, who can be reached by emailing [pb@law.uk.com](mailto:pb@law.uk.com)

### Business details of Data Processor/Controller

Hillyer McKeown LLP is a company registered in England and Wales under company number OC344864 and with a registered office at Gorse Stacks, George Street, Chester, CH1 3EQ.

## Privacy Policy

### Data Controller or Processor

If Hillyer McKeown LLP is provided with personal information under contract via a third party, it is likely we will be acting as a Data Processor or acting as Joint Controllers. If this is not the case, then Hillyer McKeown LLP will be acting as the Data Controller.

To progress your enquiry, we will ask for your consent based on your acceptance of this privacy policy and understanding how we process your personal data.

### Collecting personal information

We ask you for personal data only when it is needed to provide services you have enquired about or asked us to provide, to respond to your requests for information or to enable us to carry out our legal obligations in connection with instructions you may have given us.

We may collect, store and use the following kinds of personal information:

(a) information that you provide to allow the processing of your instructions including (but not limited to) your name, address, gender, date of birth, relationship status, health records, employment records and payment details, financial information, property information.

(b) information about your computer and about your visits to and use of our website including your IP address, search terms, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths;

- (c) information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters;
- (d) information that is generated in the course of the progression of your matter or services we provide;
- (d) information that you provide to us when using the services on our website.
- (f) information relating to any purchases of services or any other transactions that you enter into through our website, online chat or directly through our contact centre including your name, address, telephone number, email address;
- (g) information that you provide when responding to customer service feedback or complaints;
- (h) information contained in or relating to any communication that you send to us or send through our website, email or telephone calls (call recording) including the communication content and metadata associated with the communication; and
- (i) Information we receive from other sources.
- (j) payment data when purchasing services.

Before you disclose to us the personal information of another person, you must obtain that person's consent to both the disclosure and the processing of that personal information in accordance with this policy.

We may also record phone calls for the purposes of staff training, mitigation of disputes and the collection of consent from data subjects.

## Using personal information

Personal information submitted to us through our website, phone calls, emails or in person will be used for the purposes specified in this policy.

We may use your personal information to:

- (a) act upon, process and progress instructions given by you to us;
- (b) allow us to comply with our legal obligations in acting upon your instructions;
- (c) enable your use of our services;
- (d) send you information;
- (e) process payments;
- (f) send statements, invoices and payment reminders to you, and collect payments from you;
- (g) send you non-marketing commercial communications;
- (h) send you email notifications that you have specifically requested that form part of the service;
- (i) send you our email newsletter, if you have requested it (you can inform us at any time if you no longer require the newsletter);

- (j) deal with enquiries and complaints;
- (k) keep our website secure and prevent fraud;
- (l) verify compliance with the terms and conditions governing the use of our website (including monitoring private messages sent through our website private messaging service).
- (m) We will not supply your personal information to any third party for the purpose of their or any other third party's direct marketing without your express consent.
- (n) All our website and financial transactions are handled through our payment services provider, Worldpay We will share information with our payment services provider only to the extent necessary for the purposes of processing payments you make via our website, directly, refunding such payments and dealing with complaints and queries relating to such payments and refunds.
- (o) Data supplied by you for the purposes of our services is stored in our onsite facilities. We currently do not utilise cloud or data centre storage.
- (p) We do not use any automated decision-making processes or profile of you based on the data you provide.
- (q) Information we receive from other sources. We may combine this information with information you give to us and information we collect about you. We may use this information and the combined information for the purposes set out above (depending upon the types of information we receive).

## Disclosing personal information

We may disclose your personal information to any of our employees, officers, insurers, professional advisers, consultants, agents, suppliers or subcontractors insofar as reasonably necessary for the purposes set out in this policy and in the delivery of our services.

We may disclose your personal information to any member of our group of companies. This means our subsidiaries, our ultimate holding company and all its subsidiaries insofar as reasonably necessary for the purposes set out in this policy as defined in Section 1159 of the UK Companies Act 2006.

We may disclose your personal information:

- (a) to the extent that we are required to do so by law;
- (b) in connection with any ongoing or prospective legal proceedings;
- (c) in order to establish, exercise or defend our legal rights including providing information to others for the purposes of fraud prevention and reducing credit risk;
- (d) to the purchaser (or prospective purchaser) of any business or asset that we are (or are contemplating) selling; and
- (e) to any person who we reasonably believe may apply to a court or other competent authority for disclosure of that personal information where, in our reasonable opinion, such court or authority would be reasonably likely to order disclosure of that personal information.
- (f) except as provided in this policy, we will not provide your personal information to third parties.

## International data transfers

We do not transfer any personal data outside of the EEA, should this requirement change then we will contact you again to obtain your explicit consent to the transfers.

## Retaining personal information

This section sets out our data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal information.

Personal information that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

Without prejudice to other obligations set out in this policy or legal obligations, we will usually delete personal data falling within the categories set out below at the date/time set out below:

(a) personal and sensitive data including marital status, religion, race, gender, sexual orientation, dependants, dependants' names, medical history, criminal history, financial status, bank details – debt, CCJ, nationality, employment status, employer details where relevant - upon the completion of your matter;

(b) when you ask us to erase your data compliant with GDPR Article 17-within the timeframes prescribed in GDPR.

Notwithstanding the other provisions of this policy, we will retain documents and records containing personal data:

(i) to the extent that we are required to do so by law;

(ii) if we believe that the documents may be relevant to any ongoing or prospective legal proceedings; and

(iii) in order to establish, exercise or defend our legal rights (including providing information to others for the purposes of fraud prevention and reducing credit risk).

There is no statutory period defined in legislation, so our retention period is based on 7 years retention unless there is a legal or business requirement to retain the data in excess of 7 years. Full details of our file storage /destruction policy are available on request.

## Security of personal information

We will take reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information.

We will store all the personal information you provide on our secure password and firewall protected servers.

All communications via our website, payment transactions, electronic documents and database records will be protected by encryption technology.

You acknowledge that the transmission of information over the internet is inherently insecure, and we cannot guarantee the security of data sent over the internet.

You are responsible for keeping the password you use for accessing our website confidential; we will not ask you for your password (except during authenticating access to electronic systems).

## Amendments

We may update this policy from time to time by publishing a new version on our website.

You should check this page occasionally to ensure you are happy with any changes to this policy.

We may notify you of any changes to this policy by email.

Please let us know if the personal information that we hold about you needs to be corrected or updated.

## Your rights

You may instruct us to provide you with any personal information we hold about you; provision of such information will be subject to:

(a) there is no payment required; and

(b) the supply of appropriate evidence of your identity for this purpose, we will usually accept a photocopy of your passport certified by a solicitor or bank, plus an original copy of a utility bill showing your current address.

(c) We may withhold personal information that you request to the extent permitted by law.

(d) You may instruct us at any time not to process your personal information as permitted by law.

(e) You can instruct us to erase your data, compliant to GDPR Article 17.

(f) You have the right to lodge a complaint with the Data Protection Authority, if you consider your rights have been breached in anyway.

You have the right to ask us not to process your personal data for marketing purposes. We will usually inform you (before collecting your data) if we intend to use your data for such purposes or if we intend to disclose your information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data.

Note: The UK Data Protection Authority can be contacted on the following link:

<https://ico.org.uk/global/contact-us/>

## Third party websites

Our website includes hyperlinks to, and details of, third party websites.

We have no control over, and are not responsible for, the privacy policies and practices of third parties if you register with them independently. If you follow any link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies.

## Cookies and Trackers

Our website uses cookies.

### Cookies

A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.

Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

We use both session and persistent cookies on our website.

The purposes for which they are used, are set out below:

We use cookies to track your behaviour on our websites such as pages clicked on and how you navigate around our site. This type of information can help us provide a better user experience for our web visitors and customers. Specifically, we use Google Analytics cookies. These cookies collect information in an anonymous form, including the number of visitors to the site, where visitors have come to the site from and the pages they visited.

#### Category 1 - Session Cookies

These expire at the end of a browser session that is when the user exits the browser. They allow website operators to link the actions of users during a single browser session to allow them to use the website most efficiently. For example, session cookies enable a website to remember that a user has placed items in an online shopping basket.

#### Category 2 – Performance Cookies

These are cookies we use to gather browsing data anonymously to enable us to monitor the effectiveness of our website. The information gathered is not used for any other purpose.

Atlas cookies. These cookies are used to collect information about the marketing activity and the sales driven from this activity. The information is used to compile reports and to help improve the site and marketing activity. The cookies collect information in an anonymous form, including the number of clicks to the site from marketing activity, where the clicks have come from and the number of sales.

NONE of the cookies on our site contain or pass any personal, confidential or financial information or any other information that could be used to identify individual visitors or customers purchasing from our website.

Most browsers allow you to refuse to accept cookies; for example:

(a) in Internet Explorer (version 11) you can block cookies using the cookie handling override settings available by clicking "Tools", "Internet Options", "Privacy" and then "Advanced";

(b) in Firefox (version 47) you can block all cookies by clicking "Tools", "Options", "Privacy", selecting "Use custom settings for history" from the drop-down menu, and unticking "Accept cookies from sites"; and

(c) in Chrome (version 52), you can block all cookies by accessing the "Customise and control" menu, and clicking "Settings", "Show advanced settings" and "Content settings", and then selecting "Block sites from setting any data" under the "Cookies" heading.

Note: Blocking all cookies will have a negative impact upon the usability of many websites and you may not be able to use all the features on the website.

You can delete cookies already stored on your computer; for example:

(a) in Internet Explorer (version 11), you must manually delete cookie files (you can find instructions for doing so at <http://windows.microsoft.com/en-gb/internetexplorer/delete-manage-cookies#ie=ie-11>);

(b) in Firefox (version 47), you can delete cookies by clicking "Tools", "Options" and "Privacy", then selecting "Use custom settings for history" from the drop-down menu, clicking "Show Cookies", and then clicking "Remove All Cookies"; and

(c) in Chrome (version 52), you can delete all cookies by accessing the "Customise and control" menu, and clicking "Settings", "Show advanced settings" and "Clear browsing data", and then selecting "Cookies and other site and plug-in data" before clicking "Clear browsing data".

Note: Deleting cookies will have a negative impact on the usability of many websites.

Links to third party cookie tools – [Google Analytics](#) [Google AdWords](#) [Google AdSense](#) [Bing](#) [Crazy Egg](#) [Facebook](#)

## Data protection registration

We are registered as a data controller with the UK Information Commissioner's Office.

Our data protection registration can be found here: <https://ico.org.uk>

## Our details

We are registered in England and Wales under registration number Z4737214 and our registered office is at Gorse Stacks House, George Street, Chester, CH1 3EQ.

Our principal place of business is at Gorse Stacks House, George Street, Chester, CH1 3EQ.

You can contact us:

by post, using the postal address given above;

using our website contact form;

by telephone, on the contact number published on our website; or

by email, using the email address published on our website.

by online live chat.

Or you can contact our Data Protection Officer directly by email at [pb@law.uk.com](mailto:pb@law.uk.com)

## **Annexe A**

### File Retention Schedules

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|---------------------|----------|
| Matrimonial Matters | 15 Years |
| Litigation          | 12 Years |
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