

## Privacy Notice

### 1. Who we are:

We are Babingtons Solicitors of 9 Limavady Road, Derry BT47 6JU and 74 Railway Street Strabane BT82 8EQ. You can contact us at this address by post or by email at [mmorrison@babingtonlaw.com](mailto:mmorrison@babingtonlaw.com).

Our data protection representative is Maeve Morrison and you can contact her at the above address or via the abovementioned email.

### 2. Why we process your data, the lawful basis for processing your data and who we share it with

A. For people who view and interact with our website, we process data:

- To respond to your query when sent through our 'contact' form
- We only request from you, the client the relevant information required

The legal basis for this processing is our legitimate interest in the administration and operation of our legal services as well as our legitimate interest in marketing and promoting our firm's legal services. We will retain this data for 10 years.

B. For our potential clients, we process data:

- In order to market the services of our firm

The legal basis for the processing of this data is processing necessary for the purpose of the legitimate interests of our firm in promoting our services. We will retain this data for 10 years.

We respect data and the protection against unlawful processing or accidental loss, destruction or damage

C. For solicitors and barristers that we liaise with on client matters, we process data:

- In order to liaise with you about our client matters
- Therefore your data will only be used for specific processing purposes which you will be made aware of

The legal basis for the processing of this data is processing necessary for the purposes of the legitimate interests pursued by our firm in representing our clients. We share the information you provide with our practice management system in order to store your contact information with our client file. We may also send you emails through our email service provider. We will retain this data for 10 years.

You must let the firm know if any personal data information has changed as all data must be accurate

D. For job applicants to the firm, we process data:

- To recruit new employees
- To ascertain your suitability for a specific role / job title

The legal basis for this processing is processing necessary for the purpose of the legitimate interests of our firm in recruiting new staff. Please see the privacy notice in the job

advertisement for further information about how we process applicant data. We may send you emails about your application through our email service provider. We will retain this data for 10 years.

### **3. Information provided to third parties and the source of that data**

Under the 2018 Act, a Data Controller is not required, when complying with a SAR (subject access request) to disclose information about another data subject, who can be identified from that information, unless the other individual has consented to the disclosure or it, is reasonable in all the circumstances to comply with the request without the data subjects' consent.

Any client can prevent their personal information from being used for certain purposes. In addition, individuals have the right to have their name removed from any direct marketing lists, and to stop specific uses of personal information, as well as the right to prevent their phone directory details from being used for direct marketing purposes.

### **4. Data held on Clients and Employees**

The firm must ensure that the information held complies within the lawful bases

- **Consent**- you, the client must give the consent that the personal information you have or will provide us with can be used for the specific purpose of the matter
- **Legal Obligation**- we have the legal obligation as a company to consider what the records of data are kept for and who has access to them

### **5. Your rights relating to personal data**

You have the following rights under the GDPR, in certain circumstances and subject to certain exemptions, in relation to your personal data:

Where the personal information relating to a data subject is collected, the firm must provide the data subject with information in relation to:

- right to access the data - you have the right to request a copy of the personal data that we hold about you, together with other information about our processing of that personal data. We must tell you what we will be doing with your data. We must be lawful, fair and transparent.

A data SAR must be made in writing- this may be via email or letter. There is no legally prescribed form and the request does not need to contain the words. When making the application, the data subject should give any details that will help the firm to identify them and locate their data e.g. a case number, any previous address or a date of birth.

- right to rectification- you have the right to request that any inaccurate data that is held about you is corrected, or if we have incomplete information you may request that we update the information such that it is complete.

As data must be accurate. If the rectification materially modifies the data, the firm must notify any person to whom the data was disclosed during the previous twelve month, unless this involves a disproportionate burden

- right to erasure - you have the right to request us to delete personal data that we hold about you. This is sometimes referred to as the right to be forgotten.

A client will specifically have the right to have data erased that they previously consented to provide, where they consented as a child perhaps and may not have fully understood the risks that existed at the point of consent.

The request must be processed as soon as it is practical but, in any event, not less than one month after it has been brought to our attention.

If the erasure materially modifies the data, the firm must notify any person to whom the data was disclosed during the previous twelve month, unless this involves a disproportionate burden

- right to restriction of processing or to object to processing - you have the right to request that we no longer process your personal data for particular purposes, or to object to our processing of your personal data for particular purposes.

- right to data portability - you have the right to request us to provide you, or a third party, with a copy of your personal data in a structured, commonly used machine readable format.

In order to exercise any of the rights set out above, please contact us at the contact details at the start of this privacy notice.

If we are processing personal data based on your consent, you may withdraw that consent at any time. This does not affect the lawfulness of processing which took place prior to its withdrawal.

If you are unhappy with how we process personal data, we ask you to contact us so that we can rectify the situation.

You may lodge a complaint with a supervisory authority. The Northern Irish supervisory authority is the Information Commissioner's Office and the Irish supervisory authority is the Data Protection Commission.

## **6. Requirement to process personal data**

You may browse our website without providing us with any personal data and this will not affect your ability to view our website.

If you do not provide us with your information for the purposes described above, we cannot respond to your queries sent through our 'contact' form, liaise with you on client matters or assess your suitability for a role within our firm etc.

## **7. Automated decision-making and profiling**

We do not use any personal data for the purpose of automated decision-making or profiling.