

Mattersmith

Mattersmith Privacy Policy

This is the privacy policy of Mattersmith Limited (company number 11320618), whose registered office is at Harecross, Longframlington, Morpeth, Northumberland, telephone +44 (0)1665 570815, and e-mail ms-legalservices@mattersmith.co.uk.

Date October 2018

Version 1.0

Law matters. Technology helps.

1. Contents

1. CONTENTS	2
2. INTRODUCTION	4
3. MARKETING	5
3.1. The basis on which we process data	5
3.2. Types of personal data	5
3.3. Categories of individual	5
3.4. Sources of personal data	6
3.5. Disclosures of personal data	6
3.6. How long we keep personal data	6
4. ACCEPTING YOU AS A CLIENT	7
4.1. The basis on which we process personal data	7
4.2. Types of personal data	7
4.3. Sources of personal data	7
4.4. Disclosures of personal data	7
4.5. How long we keep your information	8
5. DEALING WITH YOU AS A CLIENT	9
5.1. The basis on which we process data	9
5.2. Types of personal data	9
5.3. Sources of personal data	9
5.4. Disclosures of personal data	9
5.5. How long we keep your personal data	10
6. OUR SERVICES AND PROCESSING INFORMATION ABOUT OTHERS	11
6.1. The basis on which we process personal data	11
6.2. Types of personal data	11
6.3. Types of individual	11
6.4. Sources of personal data	11
6.5. Disclosures of personal data	11
6.6. How long we keep personal data	12
7. DEALING WITH PEOPLE WHO ARE NOT CLIENTS	13
7.1. The basis on which we process data	13
7.2. Purposes	13
7.3. How long we keep your personal data	13

8. KEEPING RECORDS AND ACCOUNTS	14
8.1. The basis on which we process personal data	14
8.2. How long we keep personal data	14
<hr/>	
9. OPERATING OUR BUSINESS	15
9.1. Scope of this section	15
9.2. Operating systems	15
9.3. Internal uses of personal data	15
9.4. How we protect information	15
9.5. Where information is processed	16
<hr/>	
10. YOUR RIGHTS	17
10.1. No charge	17
10.2. To be informed	17
10.3. Request that your personal information be rectified	17
10.4. Erasure	17
10.5. Restrict processing	18
10.6. Data portability	18
10.7. Data breaches	18
10.8. Objecting to processing and withdrawing consent	18
<hr/>	
11. CONTACT INFORMATION	19

2. Introduction

Our business consists of the provision of legal advice and assistance and technology-related solutions. We set out below important information about our processing of data relating to living individuals by reference to the purposes for which we do so in the context of that business.

We have published this policy with the view of engendering your trust in our processes, so that you understand what we do and why, and in order that, if you wish to challenge them, you have information about your rights. This policy is not detailed with respect to all aspects of our processing of personal data because so much depends on the prevailing circumstances. We have given as much information as we can by way of default, and we supplement this where appropriate in our detailed dealings with clients and others.

In the electronic form of this policy you can navigate to the sections which are of interest to you by clicking on the description of the purpose or the reference to the section.

The purposes are as follows:

- [Marketing](#)
- [Accepting you as a client](#)
- [Dealing with you as a client](#)
- [Performing our services to clients which involve processing personal data about others associated with them, such as members of officers, employees, agents and contractors](#)
- [Dealing with people who are not clients or associated with a client](#)
- [Keeping records and accounts](#)
- [Operating our business](#)

We have included sections describing [your rights](#), our [contact information generally and how you can make a complaint](#)

Andrew Scott
Founder and Principal

3. Marketing

3.1. The basis on which we process data

Our business thrives because we take pride in it and provide a first-class service, but the market in which we operate is competitive. To that end we have a legitimate interest in marketing our services to existing and potential clients.

The steps we take to attract potential clients bring us directly and indirectly into contact with them so as to communicate information about our services. We are not intrusive and always respect the wishes of individuals once we are aware of them.

3.2. Types of personal data

We process the following classes of personal data in connection with our marketing:

- professional contact details, including office address, telephone numbers, and e-mail; and
- personal and business interests, responsibilities and company ownership.

We use this data in order to:

- communicate directly with people via telephone, e-mail, SMS text and other forms of electronic communication; and
 - send people materials about our business, events and publications.
-

3.3. Categories of individual

We process data on the following classes of individual in connection with our direct marketing:

- current clients;
 - past clients; and
 - prospective clients.
-

3.4. Sources of personal data

- The individuals themselves.
- Linked-In.
- Lists of attendees at events which members of our staff have also attended.
- Users who have registered to use our on-line services.

3.5. Disclosures of personal data

We do not disclose personal data we hold on third-parties for marketing purposes.

3.6. How long we keep personal data

We keep personal data processed for marketing purposes for so long as we believe the person may be interested in receiving our services.

4. Accepting you as a client

4.1. The basis on which we process personal data

When you ask us to act for you there are preliminary steps we may need to take before we enter into a contract with you. The process of accepting you as a client has two main parts:

- compliance by us with legal obligations to know our clients and to prevent money laundering and terrorism financing; and
 - obtaining information we need from you to open your account and provide our services.
-

4.2. Types of personal data

In all cases we collect the following information from you (where necessary):

- your name, the name of the organisation (if any) that you represent, and contact details; and
 - information to confirm your identity by way of your passport, drivers licence and utility bills.
-

4.3. Sources of personal data

- You personally.
 - Your colleagues.
-

4.4. Disclosures of personal data

In the vast majority of cases this process is a formality, and we don't disclose the information we obtain to anyone else except in the course of providing our services to you (see section 5 (*Dealing with you as a client*)). However, in some situations, we are duty bound to report matters to law enforcement agencies for the prevention and detection of crime, including the police and the National Crime Agency. In certain circumstances we are not permitted to inform you that we've done so or intend to do so. For more details, please see our Terms of Business which are available on request.

4.5. How long we keep your information

We keep personal data for so long as it is necessary to provide our products and services and afterwards for the purpose of record keeping and accounts (see section 8 (*Keeping records and accounts*)).

5. Dealing with you as a client

5.1. The basis on which we process data

Once you have entered into a contract with us, we are able to act for you and carry out your instructions.

We are also under legal obligations to monitor changes in our relationship with you and your affairs. Therefore, from time to time we must repeat the steps we take when accepting you as a client, and the same considerations apply in relation to the processing of personal data relating to you (please see section 3 (*Accepting you as a client*)).

5.2. Types of personal data

The nature of the information we need to provide our services depends on your instructions. Our requirements are reflected in the questions we ask in correspondence and e-mail, or when meeting you or others in person or speaking on the telephone. However, we won't collect information for which we don't have a reasonable need in order to carry out your instructions.

5.3. Sources of personal data

We may collect information from you or from third-parties in the course of carrying out your instructions.

5.4. Disclosures of personal data

The reasons we disclose personal information and to whom depends on the legal advice and assistance you've instructed us to provide and our legal obligations as solicitors.

Where we are unsure whether or not you are aware of the disclosure to be made, we will inform you beforehand wherever possible. In some situations, we are duty bound to report matters to law enforcement agencies for the prevention and detection of crime, including the police and the National Crime Agency. In certain circumstances we are not permitted to inform you that we've done so or intend to do so. For more details, please see our Terms of Business which are available on request.

5.5. How long we keep your personal data

We keep personal data for so long as it is necessary to provide our products and services and afterwards for the purpose of record keeping and accounts (see section 8 (*Keeping records and accounts*)).

6. Our services and processing information about others

6.1. The basis on which we process personal data

It is in our legitimate interests to process personal data relating to people other than our clients where necessary in order to provide services to our clients.

6.2. Types of personal data

The nature of the information we need to provide legal advice and assistance depends on our instructions. Our requirements are reflected in the questions we ask in correspondence and e-mail, or when meeting people in person or speaking on the telephone. However, we won't collect information for which we don't have a reasonable need in order to carry out our instructions.

6.3. Types of individual

Officers, employees, agents, contractors, and shareholders, and any other third-party relevant to our instructions.

6.4. Sources of personal data

We obtain information from our clients and third-parties in the course of carrying out our instructions.

6.5. Disclosures of personal data

We may disclose information to our clients and third-parties in the course of carrying out our instructions.

6.6. How long we keep personal data

We keep personal data for so long as it is necessary to provide our products and services and afterwards for the purpose of record keeping and accounts (see section 8 (*Keeping records and accounts*)).

7. Dealing with people who are not clients

7.1. The basis on which we process data

The legal basis on which we deal with people who are not clients or associated with a client depends on the circumstances. In all cases we make sure that we have a legitimate reason to do so in connection with our business.

7.2. Purposes

We communicate and deal with all manner of people in the ordinary course of our business, whether suppliers, regulators, other competent authorities, and others incidentally in connection with our business from time to time. In the course of doing so, having regard to the nature and purpose of those dealings, we will obtain and process personal data. We do not use the data for any purpose other than for which it was given to us

7.3. How long we keep your personal data

We keep personal data only for so long as it is necessary for the purpose for which it was obtained and afterwards to meet our legal or regulatory obligations or, if longer, in relation to claims which could be made against us. Our normal practice is to keep information for at least six years.

8. Keeping records and accounts

8.1. The basis on which we process personal data

We have a legitimate interest to keep all records relating to our business for our internal and compliance purposes and to deal with queries, complaints or claims which may arise.

8.2. How long we keep personal data

We keep personal data only where and for so long as it is necessary to provide our services, and otherwise for the purpose for which we have obtained personal data, and afterwards for so long as necessary to meet our legal or regulatory obligations or, if longer, in relation to claims which could be made against us. Our normal practice is to keep information for at least six years.

9. Operating our business

9.1. Scope of this section

This section is concerned with the systems we use to process personal data and our processing of personal data for internal purposes. It is not concerned with the nature of the data, the classes of individual on whom we process data, the classes of the data, the sources and disclosures of the data, nor the period of time which we hold data. For information on those topics, please consult the purpose for which we process the data in the question.

9.2. Operating systems

We process personal data using the following principal systems:

- a practice management system, including e-mail, word processing, document management, time recording and invoicing, is provided by LawWare Ltd; and
- our Mattersmith platform is hosted by Mythic Beasts Ltd in a secure private cloud.

Mattersmith staff and representatives use computer and communications equipment to access these systems to perform their duties, and in particular laptop computers, other mobile computing devices and mobile phones. Personal data is stored on these devices appropriate to the use for the time being.

9.3. Internal uses of personal data

- Training.
 - Corporate governance, management and reporting on a company and group-wide basis.
-

9.4. How we protect information

All personal data which is collected and recorded, whether on paper or electronically, has appropriate safeguards applied in line with our legal obligations and the solicitors practice rules. Our employees are subject to duties of confidentiality which apply to the personal data we obtain and process.

9.5. Where information is processed

All of our information is processed in the United Kingdom.

10. Your rights

You have several rights under data protection law in relation to how we process personal data relating to you. These are identified below. More information can be obtained from the Information Commissioner's website at [www.https://ico.org.uk](https://ico.org.uk)

10.1. No charge

We cannot charge for providing you with information when you exercise your rights, except that we may charge a reasonable fee based on our administrative costs to provide you with additional copies where requested in connection with a request to access your data, or where we can demonstrate that your requests are manifestly unfounded or excessive. In the latter case we may alternatively refuse to act on your request.

10.2. To be informed

You have the right to know what personal data we process and to be provided with access to the information, subject to the need to protect the interests of others as appropriate. If you wish to receive a copy of the personal information we hold on you, you may make a subject access request.

10.3. Request that your personal information be rectified

If your personal data are inaccurate or incomplete, you can require that they are corrected.

10.4. Erasure

You can ask for your information to be deleted or removed if there is not a compelling reason for us to retain it.

10.5. Restrict processing

You can ask to block or suppress the processing of your personal data for certain reasons. This means that we are still permitted to keep your information but only to ensure we don't use it in the future for those reasons you have restricted.

10.6. Data portability

You are entitled to a copy of your personal data for your own purposes to use across different services. In certain circumstances, you may move, copy or transfer the personal information we hold to another company in a safe and secure way.

10.7. Data breaches

If we are subject to a breach of security which is likely to result in a high risk to individuals about whom we hold data, we must communicate the breach to the individuals concerned without undue delay. In some cases, this may be done by public communications. This right is subject to certain exceptions where measures have been taken to protect the information.

10.8. Objecting to processing and withdrawing consent

You can object to our processing of your personal data where it is based on our legitimate interests, in which case we can no longer process the personal data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

You can object to our use of personal data relating to you for our direct marketing with a view attracting you as a client.

Where we process personal data with your consent, you can withdraw it at any time.

11. Contact information

If you have any questions about this policy, the personal data we will obtain and process about you, or you wish to complain about our handling of personal data relating to you, please e-mail Andrew Scott at the details set out below.

If we are unable to resolve your complaint to your satisfaction, you could refer the matter to the Information Commissioner's Office. Here is a link to the website, [www.https://ico.org.uk](https://ico.org.uk). You may even have a claim in the courts.

Contact

Andrew Scott

Harecross
Longframlington
Morpeth NE65 8AN

T +44 (0)1665 570815

E ms-legalservices@mattersmith.co.uk

www.mattersmith.co.uk

Mattersmith Limited is a company incorporated in England and Wales with registered number 11320618, whose registered office is at Harecross, Longframlington, Morpeth, Northumberland, NE65 8AN, United Kingdom, and is a recognised body authorised and regulated by the Solicitors Regulation Authority with number 650058. VAT Registration Number 265177976