

# Privacy and Cookies Policy

## **INTRODUCTION**

Welcome to the privacy notice of Adam Bernard Solicitors.

Adam Bernard Solicitors respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

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# 1. IMPORTANT INFORMATION AND WHO WE ARE

## PURPOSE OF THIS PRIVACY NOTICE

This privacy notice aims to give you information on how Adam Bernard Solicitors collects and processes your personal data through your use of this website, including any data you may provide through this website when you contact us.

This website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

## CONTROLLER

Adam Bernard Solicitors is the controller and is responsible for your personal data (collectively referred to as "Adam Bernard Solicitors", "we", "us" or "our" in this privacy notice).

We have appointed a Data Protection Officer, Mr Rashad Aslam who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the Data Protection Officer using the details set out below.

## CONTACT DETAILS

Our full details are:

Full name of legal entity: ADAM BERNARD SOLICITORS  
Email address: info@adambernards.co.uk  
Postal address: 25 Barking Rd, East Ham, London E6 1PW  
Telephone number: 020 7100 2525

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## THIRD-PARTY LINKS

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## 2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of services you have purchased from us.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data, or any information about criminal convictions and offences) unless required to enable us to provide our services to you, in which case it will be used in accordance with this privacy notice.

### Information gathered automatically

We may also collect information automatically about your access and usage of our website using cookies and other analytical technology. Full details of our data collection methods are included in the 'Cookie' section below. We will use your IP address, which is a numeric code that identifies a computer on the internet, to collect internet traffic data and information on your browser type and computer. If you do not wish to receive cookies, you may reject them by amending your browser settings, unless they are required for the delivery of our website or services to visitors.

### Information gathered from third parties

Additionally, we may obtain information about you from legitimate third parties, including existing clients, Courts and other Government institutions (the Home Office, Police Station etc) and other relevant entities that are known to you or related to your enquiry or requirements.

## **IF YOU FAIL TO PROVIDE PERSONAL DATA**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services). In this case, we may have to cancel a service you have with us, but we will notify you if this is the case at the time.

## **COOKIES**

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive.

### **Cookies we use**

#### **Necessary Cookies**

Necessary cookies enable core functionality. The website cannot function properly without these cookies, and can only be disabled by changing your browser preferences.

#### **First Party Cookies**

Analytical cookies are created every time the website is accessed, allowing us to count the number of visitors and see how they interact with the site. This enables us to ensure that users are finding the information that they are looking for more effectively.

#### **Third Party Cookies**

We also work with suppliers who create cookies to allow us to track customer visits more effectively. For example, to support our site and the information we are posting, we sometimes embed photos and video content from websites such as Facebook, YouTube and Flickr. As a result, when you visit a page with content embedded from, for example, Facebook, YouTube or Flickr, you may be presented with cookies from these websites. Adam Bernard Solicitors does not control the dissemination of these cookies. You should check the relevant third party website for more information about these.

Adam Bernard Solicitors takes your privacy and confidentiality very seriously and third party agencies do not hold any personal identifiable information about you.

#### **Session Cookies**

This cookie stores information that has been inputted into the website. It is stored temporarily within the browser memory and is not retained after the browser is closed. These are in use on the enquiry forms and to support any user authenticated areas such as the Closed Forums when used.

#### **Persistent Cookies**

This cookie is stored on your hard drive until it expires or can be deleted. This cookie saves user preferences and helps the site to remember information and settings for when you visit again.

#### **Marketing Cookies**

We use cookies for remarketing purposes. These cookies are written by Google for the purpose of showing advertisements to users who have previously visited our site as they browse other websites on the internet. More information on Google Remarketing can be found here <http://www.google.com/ads/innovations/remarketing.html>

#### **Secure Cookies**

These cookies ensure that your data is kept safe from hackers and theft when using secure areas.

#### **How to delete to control cookies**

If you wish to restrict or block the cookies which are set when visiting our website you can do this through your browser settings. The 'Help' function within your browser should tell you how. Alternatively, you may wish to visit [www.aboutcookies.org](http://www.aboutcookies.org) which contains comprehensive information on how to do this on a wide variety of browsers. You will also find details on how to delete cookies from your computer as well as more general information about cookies. For information on how to do this on the browser of your mobile phone you will need to refer to your handset manual.

Please be aware that restricting cookies may impact on the functionality of the site and also your user experience. If you do have any problems or require further information please contact us on [info@adambernards.co.uk](mailto:info@adambernards.co.uk)

## 2. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

**a) Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email, website chat, voice calls, text messages or otherwise. This includes personal data you provide when you:

- apply for and use our services;
- request marketing to be sent to you;
- give us some feedback.
- request information about us, our website, our services or any other interaction involving this website;

**b) Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources, including those set out below:

- Experts instructed by us upon your behalf in the course of our dealings with you;
- Technical Data from the following parties:
  - search information providers such as T M Group UK Ltd. based inside the EU.
  - Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

## 3. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you to provide legal advice and assistance.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

See the Glossary below to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

## PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new client	(a) Identity (b) Contact	Performance of a contract with you
To register you as a new lead / processing a new inquiry	(a) Identity (b) Contact (c) Financial Transaction	(a) To assist with inquiries, we might need to collect identity  (b) Necessary to comply with a legal obligation  Necessary for our legitimate interests (to keep our records updated and to study how customers use our services)
To process and deliver your services including:  (a) Manage payments, fees and charges  (b) Collect and recover money owed to us	(d) Identity (e) Contact (f) Financial (g) Transaction	(a) Performance of a contract with you  (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include:  (a) Notifying you about changes to our terms or privacy policy  (b) Asking you to complete a satisfaction questionnaire	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(c) Performance of a contract with you  (d) Necessary to comply with a legal obligation  (e) Necessary for our legitimate interests (to keep our records updated and to study how customers use our services)

<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity (b) Contact (c) Technical</p>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation)</p> <p>(b) Necessary to comply with a legal obligation</p>
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## **Other Legitimate grounds for processing your information**

We must have a lawful basis for processing your information. This will vary depending on the circumstances for obtaining your information, but will typically include:

- The activities are within our legitimate interests as a Solicitors practice seeking to engage with and provide services to prospective and current clients
- You have given consent for us to process your information in relation to our marketing activities
- We are completing necessary steps in relation to you entering into a contract with Adam Bernard Solicitors, because you wish to engage us to provide legal services to you
- The processing is necessary for compliance with legal obligations that we are subject to.

## **Marketing**

If you become a client of Adam Bernard Solicitors, we may use your personal information to send you information that we think may be of interest to you or your business. This falls within our legitimate interests as a Solicitors practice to use your information for marketing purposes.

## **CHANGE OF PURPOSE**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **4. DISCLOSURES OF YOUR PERSONAL DATA**

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- External Third Parties as set out in the Glossary.
- Specific third parties such as barristers, Independent Financial advisers, Process Servers, Medical Experts, other experts etc. to enable us to perform the contract we have entered into with you
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 5. INTERNATIONAL TRANSFERS

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries](#).
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#).
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see [European Commission: EU-US Privacy Shield](#).

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 6. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 7. DATA RETENTION

### HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us.

## 8. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please see the Glossary below to find out more about these rights:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact our Data Protection Officer.

## **NO FEE USUALLY REQUIRED**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

## **WHAT WE MAY NEED FROM YOU**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## **TIME LIMIT TO RESPOND**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

# GLOSSARY

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

## THIRD PARTIES

### EXTERNAL THIRD PARTIES

- Service providers who provide IT and system administration services.
- Professional advisers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities based in the United Kingdom who require reporting of processing activities in certain circumstances.

## YOUR LEGAL RIGHTS

You have the right to:

**Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

Date last updated: April 2022