

Privacy Notice for Clients

Introduction

Express Solicitors Limited is a law firm operating in the UK offering professional legal services to individuals looking to claim compensation in respect of injury or illness and any related losses.

To consider the provision of and to provide professional legal services to you, Express Solicitors Limited must collect and process personal data from you and share your personal data with other parties.

In respect of your personal data, Express Solicitors Limited acts as a Data Controller within the definition of the General Data Protection Regulation (EU) 2016/679 (GDPR).

This Privacy Notice explains what personal data Express Solicitors Limited collects from you or about you, how that information is collected and processed and for what purpose and the lawful basis on which the processing of your personal data is conducted. This notice also explains your rights in respect of any of your personal data being processed by Express Solicitors.

Express Solicitors Limited's registered address is Resolution House, 319 Palatine Road, Northenden, Manchester, M22 4HH. Telephone: 0161 904 4660. Email: advice@expresssolicitors.co.uk
Express Solicitors Limited is a Private Limited Company registered in England and Wales, registration number 08458462. Express Solicitors Limited is authorised and regulated by the Solicitors Regulation Authority, SRA number 612741.

You can contact our Data Protection Officer by writing to the above registered address or via email at dpo@expresssolicitors.co.uk

What personal data do we process?

To investigate and pursue a claim on your behalf it is necessary to collect and process your personal data including but not limited to the following categories of data:

- Name, Address and contact information;
- Age data;
- Occupational data including training and qualifications;
- Health data;
- Criminal convictions data;
- Lifestyle data including financial and welfare data;
- Details of vehicle and property ownership or usage and related insurance;
- Your National Insurance number and other identification information;
- Dependant data or if you are under 18 details of a parent or equivalent responsible adult;
- Bank details (for the payment of any compensation to you).

There may be additional information we require relating to you however we will only collect information from you that we feel is necessary for the purposes identified below. If you do not wish to provide data when requested, we will advise whether you have a statutory or contractual obligation to provide the data and of the consequences of not providing the data.

We will collect information directly from you and from third parties in the course of providing or considering the provision of our professional legal services to you.

What do we use your data for?

Your personal data is collected and processed for the following purposes:

- For the purposes of providing or considering the provision of our professional legal services. If you are over 18 at the start of the claim we will do this on the basis that there is a contract between you and Express Solicitors Limited for the provision of our professional services or we are taking steps necessary in advance of entering into such a contract. If you are under 18 at the start of the claim, we will rely on the consent of an adult who is authorised to give consent on your behalf and who will act as Litigation Friend for the purpose of the claim, and with whom we have either entered into a contract to provide or to whom we are considering the provision of professional legal services for your benefit. Certain data such as health data and trade union membership may be required for us to provide professional services in respect of a compensation claim. The processing of such categories of data which are classed as “special categories” of data under the GDPR requires an additional basis for processing. This also applies to any data relating to criminal convictions. In addition to the requirement and grounds for processing your data as detailed above we also need to process this special category data and criminal conviction data on the basis that it is necessary for the establishment, exercise or defence of a legal claim.
- To provide you with information relating to Express Solicitors Limited’s services including new services that we may offer, information about changes relevant to our professional sector and for marketing purposes. We will do this on the basis that it is in the legitimate interests of Express Solicitors Limited to raise awareness regarding the services it provides and of political, legal or regulatory changes which may impact on the provision of those services.
- To request your feedback on our services provided to you. We will do this on the basis that it is in Express Solicitors Limited’s legitimate interests to gather feedback from clients to further improve the service it provides.
- To allow for bank payments to be made electronically. We do this as it is in Express Solicitors Limited’s legitimate interests to ensure that payments to our clients are made securely and efficiently.
- To comply with legal obligations such as protecting the security of your personal data, complying with regulatory obligations, reporting to the Compensation Recovery Unit and disclosing your personal information to third parties involved in the claims process in accordance with the Civil Procedure Rules.
- To analyse the quality of the service we provide and monitor the demographics of our clients and outcomes of claims. We do this as it is in Express Solicitors Limited’s legitimate interests to monitor the quality and value of services provided to our clients and to identify trends in the outcomes of claims.
- To introduce you to service providers in the event that we are either unable to assist you or where they can offer a service that is complementary to the claims process. We will obtain your consent prior to passing your information on in respect of these introduction arrangements.

Sources of your personal data

In addition to personal data that you provide to us directly, we will also collect information from third parties.

It is not possible to identify all specific third parties in advance however the following are the categories of third parties we most commonly collect or receive information from:

- Companies that conduct marketing activities on behalf of Express Solicitors Limited either directly or as part of a collective marketing arrangement between Solicitors firms;
- If you are under 18, the adult who is instructing or seeking to instruct Express Solicitors Limited on your behalf;
- Existing and former clients and members of staff where they have introduced you to Express Solicitors Limited;
- Any other third party that has introduced you to Express Solicitors Limited;

- Healthcare providers for records of your medical history (including Dental or Optical care if relevant);
- Employers and previous employers;
- Educational institutions;
- Any insurance provider through whom you hold existing legal expenses cover and any insurer of a risk to which the claim relates;
- Insurance and compensation claim national databases such as askMID and askCUE;
- Publicly available Social Media services;
- Landlords or social housing providers;
- Police;
- Barristers;
- Defendants and their representatives;
- Witnesses including Expert Witnesses and agents in the provision of Expert Witness reports.

Where we request specific information from third parties, it will only ever be information we feel is necessary for the provision of or considering the provision of our services to you however we may in some circumstances inadvertently collect additional personal data if the third party does not reduce the data before disclosing it to us.

Sharing your personal data

We will only share your data where it is required in order to effectively offer or provide our professional legal services to you, where there are providers of services complementary to the services we provide from which you may benefit, where we are unable to assist but can put you in contact with alternative professional service providers that may be able to offer services or where there is a legal obligation by which we are bound. The following are common recipients or categories of recipients that we may share your data with:

- Third party defendants and their legal representatives and insurers;
- HM Courts & Tribunals Service;
- The Motor Insurers Bureau including their administered services Claims Portal, askMID and askCUE;
- Barristers;
- Insurers;
- Translators;
- Medico Legal experts and Medical Reporting Organisations;
- Witnesses and Expert Witnesses;
- Treatment providers;
- Financial analysis, reporting and advice providers;
- Accident and vehicle engineers;
- Document collection service providers;
- Vehicle Hire providers;
- The Compensation Recovery Unit;
- Regulatory bodies and Ombudsmen;
- Banks for payment processing purposes.

There are also organisations who will have access to your data due to the services they provide to Express Solicitors Limited such as IT support companies, email and phone service providers and external auditors. While we may not actively share your specific data with these firms we will ensure that when providing access to any data systems, the security of that data is considered and protected at all times.

Sharing your data outside the European Economic area

While your data will not ordinarily be shared with recipients outside of the European Economic Area (EEA) for the conduct of a claim, it may occasionally be necessary especially where an accident or illness has happened abroad, or you are resident outside the EEA but are pursuing a claim under English law.

In addition to ad hoc transfers required as part of the claim process which are exempt from transfer restrictions under GDPR, we may share your information with service providers operating outside of the EEA who offer beneficial services to individuals within the EEA such as Insurers offering products to cover the cost risks involved with pursuing a compensation claim. Express Solicitors Limited has an arrangement with at least one non-EEA insurer to introduce clients for this purpose. We may also utilise outsourcing arrangements for data processing activities in non-EEA locations.

In the event that a transfer of your data outside of the EEA is required, we will check whether the country or international organisation has been deemed as adequate for the transfer of data by the European Commission (EC). The finding of adequacy means that the recipient of the data is governed by a data protection framework offering adequate protection of your personal data.

In the absence of an adequacy decision we will adopt standard contractual clauses approved by the European Commission for the export of data outside of the EEA. This is an agreement between us and the data importer ensuring high standards of data protection are adhered to.

In the absence of any other safeguards permitting the transfer of data we will obtain your explicit consent before transferring any information to a recipient outside the EEA and advise you of any potential risks involved.

How long will we keep your data?

Our standard retention policy is 10 years from the date we close your file. If you are under 18 at the time we close your file then we will retain your data for 10 years from your 18th birthday.

Your personal data rights

In respect of your personal data being processed by Express Solicitors Limited:

- You have the right to ask us what personal data we are processing about you and request access to or copies of that information.
- You have the right to request that your personal data which is inaccurate, or incomplete is rectified.
- You have the right to request that your personal data is deleted however we may have the right to continue processing your data in certain circumstances.
- You have the right to request that your data is given to you in a format that can be used by another controller and where possible that this is sent directly to the other controller by us.
- Where the processing relies upon your consent or if you are under 18 the consent of an adult bringing the claim on your behalf then the person giving consent has the right to withdraw this at any time.
- You have the right to object to the processing of your data where the grounds we rely upon are our legitimate interests or the legitimate interests of a third party. Upon receiving an expression of objection, we will review the grounds for processing and respond accordingly. Where we are processing for direct marketing purposes you have the right to object at any time and we will cease processing for such purposes where an objection is received.

- You have the right not to be subject to automated decision-making processes including profiling however Express Solicitors Limited does not employ any automated decision-making processes.
- You have the right to restrict the processing of your personal data:
 - where the accuracy is contested while this is investigated;
 - where the processing is unlawful, but you do not want the data to be deleted;
 - where we no longer need to process the data, but you would like us to store it without further processing for the establishment, exercise or defence of legal claims;
 - where you have objected to the processing and we are processing for our legitimate interests while it is established if our interests override your rights.

We will respond to your request in relation to any of the above rights within one month of us receiving your request unless there is likely to be a delay providing the information or response in which case we will notify you within one month of receiving the request. There will be no fee payable for us to provide you with the information requested unless the request is for duplicate copies of documents previously provided to you or we feel the request is manifestly unfounded or excessive. If a request is manifestly unfounded or excessive we may refuse to provide the data rather than charging a fee. Where a fee is charged it will reflect the administrative costs involved in providing you with the information.

We may require identification from you for security purposes before providing any information or acting on requests. Where this is required we will notify you within one month of receipt of your request.

Where you make a request to us electronically we will endeavour to respond electronically. If you would prefer not to receive the information electronically you should request this.

If we are unable to comply with your request, we will inform you within one month of receipt of your request providing the reasons and advising you of your options to escalate the matter further.

All requests in relation to the above should be addressed to our Data Protection Officer, Laura Edgeley, by email to dpo@expresssolicitors.co.uk or in writing to: Data Protection Officer, Express Solicitors, Resolution House, 319 Palatine Road, Northenden, Manchester, M22 4HH.

You have the right to lodge a complaint with the Information Commissioners Office who regulate Data Protection compliance in the UK if you are not satisfied with any response provided by Express Solicitors Limited in relation to the exercise of your rights under the relevant English Data Protection law.

Changes to this Privacy Notice

This Privacy Notice will be reviewed and revised in line with further developments in data protection law.

This document was revised 27th September 2019.