

Forbes Privacy Notice (Witnesses and Third Parties)

Forbes Solicitors (“we”, “us” and “our”) are committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you as a witness and also applies to your staff and other representatives which in this notice will be included within references to you. This privacy notice outlines how we intend to comply with the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

Forbes Solicitors is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained within this privacy notice.

In accordance with the GDPR we will seek to ensure that the following Data Protection Principles are followed and that the personal information we hold about you is:

1. Used lawfully, fairly and in a transparent way;
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with these purposes;
3. Relevant to the purpose we have told you about and limited only to those purposes;
4. Accurate and kept up to date;
5. Kept only as long as necessary for the purposes we have told you about;
6. Kept securely

What information do we collect about you?

In connection with our provision of services, we will collect, store and use the following categories of personal information about you:

- Personal information, including name, title, address, telephone number, personal email address, date of birth, gender;
- Details of your employment history and qualifications;
- Any information you provide to us during any interview;
- Information relating to your legal history and previous transactions or proceedings in which you have been involved;
- The contents of your statement or other evidence;
- Your availability on specified dates.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences.

How will we use the information?

We use this information to:

- Identify and communicate with you;
- Give legal advice to our client(s);
- Manage the delivery of services to our client(s) including where applicable the commencement and continuation of legal proceedings;
- Keep records relating to our provision of services;
- Comply with legal or regulatory requirements, including reporting of information to regulatory bodies.

How do we use particularly sensitive information?

We will use your particularly sensitive personal information in the following ways.

- to consider whether we need to provide appropriate adjustments in our interactions with you;
- to ensure meaningful equal opportunity monitoring and reporting;
- to give legal advice to our client(s);
- to manage the delivery of services to our client(s) including where applicable the commencement and continuation of legal proceedings.

How do we use information about criminal convictions?

We envisage that we will in some cases process information about criminal convictions in connection with providing services to you.

We have in place appropriate safeguards which we are required by law to maintain when processing such data.

Why do we need this information?

The legal bases we rely on for processing your personal information are one or more of the following:

- Consent has been obtained;
- Processing is necessary for the performance of a contract with our client or steps preparatory to such a contract;

- Processing is necessary for compliance with a legal obligation; or
- Processing is necessary for our legitimate interests as a provider of legal services to our client(s).

For special category personal information where:

- You have given explicit consent;
- Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- Processing is necessary for reasons of substantial public interest.

We will only use your personal information 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 one of the purposes listed above. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so or seek your consent.

Sharing your information

We will not ordinarily share your information with anyone else. However, there are certain circumstances where we will be required to share your information with organisations as part of the legal service provided to you of our professional compliance. We will comply with the Data Protection Act 2018 when making this disclosure.

Where it is required or necessary we may share information with:

- Our regulator and professional bodies;
- Suppliers and service providers;
- Auditors;
- Insurers;
- Barristers;
- Expert witnesses;
- Police forces and/or Crown Prosecution Service or other prosecuting authorities;
- Courts and Tribunals;
- Official registries;
- Other parties to transactions or proceedings.

Data Security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and the Information Commissioner's Office of a

suspected breach where we are legally required to do so.

How long do we keep information about you?

We will only retain your personal information 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.

We have policies as part of our ISO and equivalent documentation to specify retention periods for data in different kinds of work. After this period, we will securely destroy your personal information in accordance with our applicable policy.

How can you access & control your personal data?

You can find out if we hold any personal information about you by making a 'subject access request' under the GDPR. If we do hold information about you, we will:

- Give you a description of it;
- Tell you why we are holding;
- Tell you who it has been disclosed to; and
- Let you have a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

You can request access to the information we hold about you at any time by contacting us (please see contact details section below). Please mark your request for the attention of our Data Protection Officer.

Your rights

If you believe that any of the personal information we hold about you is incorrect, you have the right to ask us to rectify that information at any time.

You may also have the right, in certain circumstances, to request that we delete your personal information, to block any further processing of your personal information or to object to the processing of your personal information. There are some specific circumstances where these rights do not apply and we can refuse to deal with your request.

If we are processing your personal information based upon your consent (e.g. as part of our marketing or promotional activities), you have the right to withdraw your consent at any time.

If you require any further information about your right to rectification, erasure, restriction of or object to processing or you wish to withdraw your consent please contact us (please see contact details section below).

Complaints

We take any complaints we receive about the collection and use of personal information very seriously. We would encourage you to bring it to our attention if you think that our collection or use of information is unfair, misleading or inappropriate. You can make a complaint at any time by contacting us (see contact details section below).

If you think our collection or use of personal information is unfair, misleading or inappropriate or if you have concerns about the security of your personal information, you also have the right to make a complaint to the Information Commissioner's Office. You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office, Wycliffe House,
Water Lane, Wilmslow, Cheshire, SK9 5AF

Contacting us

If you have any queries about the processing of your data, our Data Protection Officer is Daniel Milnes and he can be contacted by email on DataProtectionOfficer@forbessolicitors.co.uk.