

PRIVACY NOTICE

Your Rights and How We Use Your Data

Data Controller

WYM Legal Limited (Company Number 09638243), of 9 Langley Road, Watford, WD17 4PS – www.wymlegal.com

Tel: 01923 920041 - Fax: 01923 751704 - Email: info@wymlegal.com

Regulated by the Council for Licensed Conveyancers (Licence Number 2681) - www.clc-uk.org

Purpose and Lawful Bases for Processing Your Personal Data

We will process your personal data in order to perform conveyancing services on your behalf, as well as for the purposes of complying with the [Council for Licensed Conveyancers' Codes of Conduct](#), the [Proceeds of Crime Act 2002](#) and the [Money Laundering Regulations 2017](#).

The Lawful Bases upon which we rely for processing your personal data are: **Contract** (it is necessary for us to process your personal data in order to comply with our contract to provide you with conveyancing services); **Legal Obligation** (upon accepting instructions to provide you with conveyancing services, we are under a legal obligation to process and retain your data for Anti-Money Laundering, Counter-Terrorist Financing and Professional Standards purposes); and **Legitimate Interests** (these are addressed under the relevant heading below).

Legal Obligation and Contractual Obligation – The Difference

All references within this Privacy Notice to 'Legal Obligation' or 'Legal Obligations' refer to statutory or regulatory obligations and not to contractual obligations.

Legitimate Interests

We have Legitimate Interests in processing and retaining your personal data for the purposes of good record-keeping, for the production of Management Information for the operational efficiency and efficacy of our business, and for use as evidence in the event of any claims and / or conduct complaints being brought against us.

We have further Legitimate Interests in sharing your data with several third parties. Further information regarding the third parties with whom we must share your personal data in the course of providing conveyancing services is detailed under the relevant heading immediately below. Those third parties with whom we will share your personal data otherwise than in the course of providing conveyancing services are listed in the Schedule to this document along with the purposes and lawful bases for the sharing of your personal data with these parties.

Personal Data Passed to Third Parties

Your instructions to us to provide you with conveyancing services place us under a contractual obligation to share your personal data with a number of third parties. These include: Your mortgage lender(s); your seller or their lawyer (in a purchase transaction); your purchaser or their lawyer (in a sale transaction); your co-owner(s) / prospective co-owner(s); in leasehold transactions your Landlord(s) (Freeholder / Head-Lessor) or Prospective Landlord(s); in Leasehold and / or managed estate matters your Freehold / Head-Leasehold Management Company(s) or Prospective Freehold / Head-Leasehold Management Company(s) and / or their lawyer; in Shared Ownership transactions your Housing Association; in Help to Buy or Help to Buy ISA matters your relevant provider of these services; the Land Registry; Her Majesty's Revenue and Customs; Local Authorities; The Environment Agency; Water Authorities; New Home Warranty providers; personal search suppliers; indemnity

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insurance suppliers; any party having any legal or equitable interest in any property that you are selling, purchasing or remortgaging and / or their lawyer.

In certain instances the law may require us to pass your personal data to the following organisations: The Council for Licensed Conveyancers; The National Crime Agency; The Information Commissioner's Office.

International Data Transfers

We will not transfer your personal data outside the jurisdiction of England and Wales and nor will we transfer your personal data to any organisation constituted outside of the United Kingdom, except where it is necessary for us to do so in order for us to perform our duties to you under our contract to provide conveyancing services, or where you have provided us with informed, express and unambiguous consent to do so and only where such consent is provided in writing.

Retention of Data

In accordance with the requirements of our regulator, we will retain your personal data on sale matters for a period of 6 years, and on purchase and remortgage matters for a period of 15 years.

Your Data Protection Rights

Access – You have a legal right to be provided upon request with confirmation of any personal data relating to you which we are processing and to be supplied with copies of any personal data that we are holding in relation to you. You can make this request by email to dataprotection@wymlegal.com by stating that you wish to make a Data Subject Access Request. We must comply with the request within 30 days and we must not charge you for complying with the request unless your request is manifestly unfounded, excessive or repetitive.

Rectification – You have a right for inaccurate personal data which we hold in relation to you to be rectified upon your request. You can make a request for rectification by emailing dataprotection@wymlegal.com to identify the information which is inaccurate and specify what it should be corrected to. We are required to respond to you within 30 days and we must not charge for rectifying inaccurate data.

Erasure – In certain circumstances, you may have the right for your data to be erased. Where we are processing or retaining your personal data to comply with a statutory or regulatory legal obligation, the Right to Erasure does not apply. Where we are not under a statutory or regulatory legal obligation to process or retain your data, you have a right for it to be erased upon your request where: It is no longer necessary in relation to the purpose for which it was originally collected and / or processed; you object to the processing and / or retention of your personal data and there is no overriding Legitimate Interest upon which we may rely in order to continue processing your data (further information below under the 'Objection' sub-heading); the personal data has been unlawfully processed or retained; the personal data must be erased in order to comply with a legal obligation; the personal data is processed or retained in relation to the offer of information society services to a child. You can make a request for erasure by emailing dataprotection@wymlegal.com and specifying the reasons why the Right to Erasure applies in the particular circumstances. We are required to respond to you within 30 days and we must not charge you for erasure.

Objection – Where we have relied upon a Legitimate Interest as the Lawful Basis for processing your personal data, you have the legal right to object to the processing and / or retention of it. When

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objecting to processing or retention of data based upon a Legitimate Interest, you must state the grounds for your objection. We will then immediately stop processing the data unless we can demonstrate compelling legitimate grounds for continuation of the processing which override the interests, rights and freedoms of the individual; or the data is being processed for the establishment, exercise or defence of any legal claim. The right to object can be exercised by emailing dataprotection@wymlegal.com

Restriction of Processing – Where the Right to Restriction has been exercised, we may continue to retain your personal data, but we may not continue to process it. The Right to Restriction applies where the Right to Rectification (see above) has been exercised and up until the point that the inaccurate data has been corrected. Where the Right to Object (see above) has been exercised, the Right to Restriction will apply whilst we consider whether our Legitimate Interests in the continuation of processing override the rights of the individual. The Right to Restriction applies if personal data has been unlawfully processed but the individual elects to restrict processing as opposed to outright erasure of the data. The Right to Restriction also applies in circumstances where we no longer require the personal data, but where you require it to establish, exercise or defend any legal claim.

Portability – You have the right to request that we provide your personal data to another organisation in a machine readable format where we have processed that data either with your consent or in the course of performing a contractual obligation owed to you. You can request that data is transferred to another organisation by emailing dataprotection@wymlegal.com. We will have the right to decline the request if the data concerns more than one individual and complying with it would be prejudicial to the interests of one or more individuals to whom the data relates.

Complaints and Concerns

Should you have any complaint or concern regarding our handling of your personal data, you have the right to complain internally to our Head of Legal Practice, or externally to the Information Commissioner's Office or to the Council for Licensed Conveyancers.

Our Head of Legal Practice is Senthuran Ranjan (Solicitor) – nancyl@wymlegal.com

The Council for Licensed Conveyancers' has published guidance on how to make a complaint at www.clc-uk.org/consumers/reporting-problems

The Information Commissioner's Office has published guidance on how to make a complaint at <https://ico.org.uk/concerns>

Guidance

More information on data protection is available at the Information Commissioner's Office website at <https://ico.org.uk/>

The Information Commissioner's Office also has a helpline for members of the public which can be reached by dialling 0303 123 1113.

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SCHEDULE

In addition to the third parties listed in the main document under the heading 'Personal Data Passed to Third Parties', with whom we will share your personal data in order to comply with our contractual obligations to you or to comply with our Legal Obligations, we may also share your personal data with the following organisations in reliance upon the Legitimate Interests Lawful Basis:

Organisation	Function	Lawful Basis and Purpose
Howla	Case Management System supplier and manager	Legitimate Interest. In order to effectively manage data and expeditiously progress cases, we operate an electronic case management system. Redbrick Solutions (UK) Limited are the software company supplying this system and undertaking its maintenance. In the course of performing this function, the company will have access to personal data stored upon the system.
Redbrick Solutions (UK) Limited	Case Management System supplier and manager	Legitimate Interest. In order to effectively manage data and expeditiously progress cases, we operate an electronic case management system. Redbrick Solutions (UK) Limited are the software company supplying this system and undertaking its maintenance. In the course of performing this function, the company will have access to personal data stored upon the system.
Property Conveyancing Consultancy Limited	Post Completion and Registrations outsourced provider	Legitimate Interest. In purchase and remortgage matters we outsource post completion tasks and Land Registry Registrations to Property Conveyancing Consultancy Limited ('PCC'). PCC will process our clients' personal data in the course of undertaking this work.

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Tecnico4U Limited	IT, systems maintenance and data security	Legitimate Interest and Legal Obligation. Tecnico4U Limited provides our IT, network and systems security management service. In the course of undertaking systems maintenance and security scanning, the company may have access to clients' personal data.
R H Data Storage	Archive company	Legitimate Interest and Legal Obligation. We are legally required to retain client data for 6 years in sale matters and for 15 years in purchase and remortgage matters. We do not have in-house facilities to store large numbers of physical paper files. R H Data Storage perform our archiving function and are provided with clients' physical paper files for this purpose.
The Legal Ombudsman	Ombudsman	Legitimate Interest. In the event of a client raising a service related complaint with the Legal Ombudsman, we may provide the Legal Ombudsman with personal data from the client's file to assist the Ombudsman in investigating the complaint.
Miller LLP	Professional Indemnity Insurance provider	Legal Obligation and Legitimate Interest. In the event of an actual or potential claim against us which may result in us raising a claim against our Professional Indemnity Insurance, we would be legally obliged to notify our insurers and may be required to share personal data with them. We may also share personal data with our insurers in pursuance

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		of the legitimate interest of establishing a claim.
Chubb European Group Limited	Professional Indemnity Insurance provider	Legal Obligation and Legitimate Interest. In the event of an actual or potential claim against us which may result in us raising a claim against our Professional Indemnity Insurance, we would be legally obliged to notify our insurers and may be required to share personal data with them. We may also share personal data with our insurers in pursuance of the legitimate interest of establishing a claim.
Axis Speciality Europe SE	Professional Indemnity Insurance provider	Legal Obligation and Legitimate Interest. In the event of an actual or potential claim against us which may result in us raising a claim against our Professional Indemnity Insurance, we would be legally obliged to notify our insurers and may be required to share personal data with them. We may also share personal data with our insurers in pursuance of the legitimate interest of establishing a claim.
Allianz Global Corporate and Speciality SE	Professional Indemnity Insurance provider	Legal Obligation and Legitimate Interest. In the event of an actual or potential claim against us which may result in us raising a claim against our Professional Indemnity Insurance, we would be legally obliged to notify our insurers and may be required to share personal data with them. We may also share personal data with our insurers in pursuance

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		of the legitimate interest of establishing a claim.
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Unspecific categories of third parties with whom we may also share your personal data to further Legitimate Interests are as follows:

Category	Legitimate Interest
Estate Agents	Where a client has been referred to us by an Estate Agent, WYM Legal Limited has a Legitimate Interest in preserving its business relationship with the referring Estate Agent through relevant and fluid communication. Communication with Estate Agents, whether or not they have referred the instructing client to WYM Legal Limited, often assists in progressing transactions expeditiously which serves to further the Legitimate Interests of WYM Legal Limited, its clients and all other parties involved in the transaction.
Mortgage Brokers / Financial Advisors	Where a client has been referred to us by a Mortgage Broker or Financial Advisor, WYM Legal Limited has a Legitimate Interest in preserving its business relationship with the referring Mortgage Broker or Financial Advisor through relevant and fluid communication. Communication with Mortgage Brokers and Financial Advisors, whether or not they have referred the instructing client to WYM Legal Limited, often assists in progressing transactions expeditiously which serves to further the Legitimate Interests of WYM Legal Limited, its clients and all other parties involved in the transaction.
Panel Managers (Home Legal Direct)	Where a client has been referred to us by a Panel Manager, WYM Legal Limited has a Legitimate Interest in preserving its business relationship with the referring Panel Manager through relevant and fluid communication and through the effective updating of the Panel Manager's online case tracking system.
Lawyers instructed by our insurers	Where a claim is brought against us we have a legitimate interest in disclosing personal data to any lawyer instructed by our insurers to defend

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	the claim. We also have a contractual obligation to our insurers to do so.
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