

## CURZON ROSE LIMITED T/A PENSION JUSTICE

### DATA PROTECTION POLICY

#### Introduction

Curzon Rose Limited t/a Pension Justice maintain certain personal data about individuals for the purposes of satisfying operational and legal obligations. The Data Protection Act sets rules for the processing of people's personal information or data. Personal data is any information which identifies a living person. It also includes expressions of opinion about, or intentions towards individuals. Some information is defined as sensitive personal data, and special conditions for processing apply. Sensitive personal data include details of racial origin, health, criminal proceedings or convictions. Processing data covers just about everything that can be done with information held electronically or manually, including obtaining, retrieving, organising and sorting, disclosing or simply holding or storing. Curzon Rose Limited t/a Pension Justice recognises the importance of the correct and lawful treatment of personal data.

Examples of personal data which Curzon Rose Limited t/a Pension Justice may require from clients include the following and for the reasons ascribed to each;

|   |   |
|---|---|
| Name and address of clients and date of birth   | <ul style="list-style-type: none"><li>• To undertake legal services on the client's behalf</li><li>• To comply with regulatory and anti-money laundering procedures</li><li>• For marketing purposes</li></ul>  |
| Paper and computer records of Legal services work undertaken by the firm on behalf of clients | <ul style="list-style-type: none"><li>• To enable us to undertake those legal services</li><li>• To comply with Law Society recommended practices as to the retention of files</li><li>• To enable us to respond to enquiries from clients at a later date</li><li>• To enable us to respond to complaints and claims</li></ul> |
| Legal documents of record   | <ul style="list-style-type: none"><li>• For safe keeping purposes and at the strict instruction of the client</li></ul>   |
| Names and addresses of business contacts e.g. Barristers, Agents                              | <ul style="list-style-type: none"><li>• To enable the firm to carry out instructions on behalf of the client</li><li>• For marketing purposes</li></ul>   |

Curzon Rose Limited t/a Pension Justice fully endorses and adheres to the provision of the Data Protection Act. The 8 principles in the Data Protection Act specify the legal conditions that must be satisfied in relation to obtaining, handling, processing, transportation and storage of personal data. Employees and others who obtain, handle, process, transport and store personal data for the firm must comply with the requirements of the Data Protection Act, and adhere to the 8 principles.

#### Principles

The principles require that personal data shall:

1. Be processed fairly and lawfully and shall not be processed unless certain conditions are met;

2. Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose;
3. Be adequate, relevant and not excessive for those purposes;
4. Be accurate and, where necessary, kept up to date;
5. Not be kept for longer than is necessary for that purpose;
6. Be processed in accordance with the data subject's rights;
7. Be kept secure from unauthorised or unlawful processing and protected against accidental loss, and destruction or damage by using the appropriate technical and organisational measures;
8. Not be transferred to a country or territory outside the European Economic area, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

### **Satisfaction of Principles**

In order to meet the requirements of the principles, Curzon Rose Limited t/a Pension Justice will:

- Observe fully the conditions enumerated as 1-8 above regarding the fair collection and use of personal data;
- Meet its obligation as best by the purposes for which personal data is used;
- Collect and process appropriate personal data only to the extent that it is needed to fulfil operational and legal requirements;
- Ensure the quality of personal data used;
- Apply strict checks to determine the length of time personal data is held;
- Ensure that the rights of individuals about whom the personal data is held, can be fully exercised under the Act;
- Take the appropriate technical and organisational security measures to safeguard personal data; and
- Ensure that personal data is not transferred abroad without suitable safeguards.

### **Information Compliance Manager**

The Information Compliance Manager for Curzon Rose Limited t/a Pension Justice is responsible for compliance with the Data Protection Act and implementation of this policy on behalf of the firm. The Information Compliance Manager is Paul Higgins. Any questions or concerns about the interpretation or operation of this policy should be taken up in the first instance with the Information Compliance Manager.

### **Status of the Policy**

Any breach of this policy will be taken seriously and may result in disciplinary action. Any employee who considers that the policy has not been followed in respect of personal data about themselves should raise the matter with their manager or the firm's Information Compliance Manager.

### **Employee Responsibilities**

If as part of their responsibilities, employees collect personal data (e.g. about clients or about employees), they must comply with this policy and with the data protection principles.

All employees are responsible for;

- Checking that any personal data which they provide to Curzon Rose Limited t/a Pension Justice is accurate and up to date;
- Informing Curzon Rose Limited t/a Pension Justice of any changes to information which they have provided e.g. changes of address;
- Checking any information that Curzon Rose Limited t/a Pension Justice may send out from time to time, giving details of information that is being kept and processed.

### **Data Security**

The need to ensure that personal data is kept securely means that precautions must be taken against physical loss or damage, and that both access and disclosure must be restrictive. All staff are responsible in ensuring that:

- Any personal data which they hold is kept securely;
- Personal data should not be disclosed either orally or in writing or otherwise to any unauthorised third party.

### **Rights to access information**

Employees and other subjects of personal data held by Curzon Rose Limited t/a Pension Justice have the right to access any personal data that is being kept about them on computer and also have access to paper based data held in certain manual filing systems. This right is subject to certain exemptions which are set out in the Data Protection Act. Any person who wishes to exercise this right should make the request in writing to the firm's Information Compliance Manager.

Curzon Rose Limited t/a Pension Justice reserves the right to charge the maximum fee payable for each subject access request. If personal details are inaccurate they can be amended upon request. Curzon Rose Limited t/a Pension Justice aims to comply with requests for access to personal information as quickly as possible and within 40 days of receipt of a completed request unless there is good reason for delay. In such cases, the reason for delay will be explained in writing to the individual making the request.

### **Subject Access**

All individuals who are the subject of personal data held by Curzon Rose Limited t/a Pension Justice are entitled to:

- Ask what information Curzon Rose Limited t/a Pension Justice holds about them and why;
- Ask how to gain access to it;
- Be informed how to keep it up to date; and
- Be informed what Curzon Rose Limited t/a Pension Justice is doing to comply with its obligations under the 1998 Data Protection Act.

### **Subject Consent**

The need to process data for specified purposes should be communicated to all data subjects. If an individual could not reasonably foresee the use to which their data may be put then further information should be supplied. Care should be taken not to collect personal data of which the individual is unaware. Consent must be obtained if the purpose changes. In some cases, if the data is sensitive, for example information about health, race or gender, express consent to process the data must be obtained. Processing may be necessary to operate Curzon Rose Limited t/a Pension Justice policies such as health and safety and equal opportunities.

### **Retention of Data**

Curzon Rose Limited t/a Pension Justice will keep some forms of information for longer than others. All staff are responsible for ensuring that information is not kept for longer than necessary.

### **Quality of Data**

Personal data should be adequate, relevant and not excessive in relation to the purpose or purposes for which the data is processed. Data should be kept to the minimum necessary to meet the stated purpose. Personal data should also be adequate and up to date.