

Hannays Solicitors and Advocates Ltd - Privacy Notice

WHAT IS THE LAWFUL BASIS FOR OUR HOLDING AND PROCESSING YOUR PERSONAL INFORMATION?

We have carefully considered the lawful basis for processing of personal information and have included a list of services below and the lawful basis we consider applies in each case. Presenting the information in this way will assist you in understanding your rights in relation to the personal data held and the length of time we will hold the information.

Lawful Basis	Retention Period	Service Provided
Contract and legal obligations	<p>We retain our files between 6 – 21 years depending upon the type of matter from the conclusion of your matter. When we conclude your matter we will write to you to advise you how we store your information and for how long.</p> <p>To provide and ID check and verification of ID to prevent money laundering. We will hold your ID on file for at least 5 years following cessation of work and in practice will destroy your ID used for identification purposes when your file is destroyed.</p>	Legal advice and representation for family, children and private legal matters
		Conveyancing and property related transactions
		Funding advice and support (legal aid and private funding)
Contract and consent	Retention period unfixed due to the nature of the service which is a lifelong service and often post death to the estate. Expected maximum length of retention is 50 years.	Matters relating to Wills, Trusts and Estates.
		Acting in Deputyship and Attorney matters.
Legitimate Interest	Please see retention periods above.	We do not have a marketing database of contact details and will not usually contact you after the cessation of your matter, but we may use your information to contact you if we become aware of any legal developments that you have previously shown interest in or that we become aware which may affect your matter.
Consent	By giving your instructions to us you are giving us your consent to hold your data, which we will continue to hold until the due destruction date. We consider requests to remove the data we hold but would advise that deletion of the data we hold before the due destruction date may not be possible (for example we are required to hold conveyancing files for up to 16 years due to mortgage terms) and destruction of legal records may not be in client best interests. If you require any information from your file please contact us.	We do not have a marketing database of contact details and will not usually contact you after the cessation of your matter, but we may use your information to contact you if we become aware of any legal developments that you have previously shown interest in or that we become aware that may affect your matter.

WHAT ARE YOUR RIGHTS IN RELATION TO THE PERSONAL INFORMATION HELD?

The GDPR sets out the following rights for data subjects:

- The right to be informed
- The right of access
- The right of rectification
- The right to erasure (known as the right to be forgotten)
- The right to restrict processing
- The right to object

The Data (Use and Access) Act 2025 became effective in 2026.

It changes data protection laws in order to promote innovation and economic growth and make things easier for organisations, whilst it still protects people and their rights.

The most important right it establishes for our clients is to introduce mandatory complaints handling in relation to data. Clients need to use our complaints handling process before reporting the matter to the Information Commissioner as this provides an opportunity for us to understand your concerns and try to put things right.

You can submit a complaint to us using our complaints procedure a link to which can be found on our website (towards the end of the page) at <https://www.hannayslaw.co.uk/about-us/>

The Data (Use and Access) Act 2025 also introduced new legislation regarding;

- International Data Transfers
- Cookie Consent Exceptions
- Rules around automated decision making

The new Act also introduced:

- **Recognised Legitimate Interests:** A new seventh lawful basis for processing personal data (covering pre-approved public interests, such as safeguarding and crime prevention) has been introduced. This removes the need to conduct a traditional balancing test.

Recognised legitimate interest is one of the lawful bases for handling personal information. It is different from the legitimate interests lawful basis.

Recognised legitimate interest has five conditions containing pre-approved purposes that are in the public interest. We can only use this basis if what we want to do meets the criteria for one of these purposes.

These conditions cover situations where you need to use personal information for:

- Crime prevention
- Public security
- National Security or defence
- Safeguarding
- Emergencies, or
- Sharing personal information to help other organisations perform their public tasks or official functions.

There is more information here: <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/lawful-basis/a-guide-to-lawful-basis/recognised-legitimate-interest/>

Further information can be found on the Information Commissioner's website: <https://ico.org/for-the-public/>

Subject Access Requests

Subject access requests (SAR) to allow individuals to find out more about the personal data the firm holds about them, what it is being used for and why, may be made in writing to the Managing Director (Kim Rainford) at 19 Beach Road, South Shields, Tyne and Wear NE33 2QA.

There is more information here:

<https://ico.org.uk/for-the-public/make-a-subject-access-request/>

Responses will be made within one month or where a request is complex or there are numerous requests the time period may be extended. Please also refer to the Terms & Conditions which we send when accepting your instructions as to ownership of your file.