

Reliable Law Services Limited

76A Katherine Drive

Dunstable LU5 4NU

Tel: 02039501745 / Fax: 02037452415

Email: kam@reliablelawservices.org.uk

website: www.reliablelawservices.org.uk

Privacy Notice—GDPR compliant—general policy

The new General Data Protection Regulation (GDPR) comes into effect from 25 May 2018. The GDPR replaces the Data Protection Directive (Directive 95/46/EC) and thus the Data Protection Act 1998 (DPA 1998) and subordinate legislation under it which implements that Directive.

We take your privacy very seriously and we ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

Who we are

Reliable Law Services collect, use and are responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including the United Kingdom) and we are responsible as ‘controller’ of that personal information for the purposes of those laws.

We are registered with the Information Commissioner’s Office as Reliable Law Services Ltd with registration certificate number ZA189441. Our current membership expires on the 15 June 2018.

The personal information we collect and use

In the course of acting on your behalf regarding your immigration matters, we collect the following personal information when you provide it to us:

- *name, address, DOB, bank details, telephone/mobile numbers, payslips, sex, gender, Ni numbers and other categories of personal data*

Information collected from other sources

We also obtain personal information from other sources as follows:

- *[your doctor, Home Office, employer and others in relation to your immigration matters]*

How we use your personal information

We use your personal information to:

- prepare your statements;
- write to the Home Office;
- write to your doctor seeking your medical reports;
- write to your employer to seek information regarding your employment;
- upon your request, send your file of papers to other solicitors;
- complete your application forms;
- represent you in the courts;

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- apply to the court where you failed to pay your fees;
- instruct barristers to represent you in the courts; and
- prepare court bundles and for other related immigration purposes.

Who we share your personal information with

We sometimes share personal data (e.g. name, address, DOB, bank details, telephone/mobile numbers, payslips, sex, gender, NI numbers and other categories of personal data) with the Home Office, Tribunal, Barristers, General Practitioner, your employer and experts. This data sharing enables us to:

- make representations to the Home Office;
- submit your appeal to the tribunal;
- instruct barristers;
- obtain your medical records from your GP;
- obtain your employment contract and wages information from your employer; and,
- seek experts' advice to further your case.

We will share personal information with law enforcement or other authorities if required by applicable law.

We will not share your personal information with any other third party without prior written consent from you.

We do not share personal information for marketing purposes.

How long your personal data will be kept

We will hold your *personal data* (e.g. clients' folders, emails) for 10 years. We will use your personal data to advance your case based on your written instructions in the Retainer.

The Role of the Data Protection Officer

The role of the DPO is to help what the GDPR describes as data 'Controllers' and 'Processors' comply with data protection law and avoid the risks that organisations face when processing personal data. So, to give context to the role, it's worth briefly discussing what a Controller and Processor does.

Data Controller: Article 4 (7) of the Regulation says... "Controller means the natural or legal person, public authority, agency or other body which, alone or jointly with others determines the purposes and means of the processing of personal data."

In practice, this means we will use your personal data for example, to complete your application form. We retain these data, subject to changes, to represent you in court or complete other forms, draft your witness statement. The use of the personal data would be in line with your instructions.

Data Processor: Article 4 (8) of the Regulation says... "Processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller."

Typical examples are service providers providing outsourced services to the controller such as instructing barristers, experts, accountants, liaising with Company House, HMRC and HR services. In so doing, we use your personal data to identify you to the relevant persons or authorities to discuss issues that are relevant to your immigration matter. Again, we will do so with your written instructions.

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So, to differentiate the processor from the controller, Reliable Law Services in the above example would be the controller and the outsourced barristers, experts, accountants, HMRC, Company House would be the processor that would use your personal data to prepare relevant reports to support your case, represent you in the tribunal in accordance with the controller's instructions.

The Tasks of the DPO

The DPO is the data protection expert within the organisation and forms the link with both the public and the organisation's employees in relation to the processing of personal information held. The DPO also acts as the person that data protection queries are directed to.

Article 37(5) of the Regulation details what is in effect a mini job description for the role:

"The DPO, who can be a staff member or contractor, shall be designated on the basis of professional qualities and, in particular, expert knowledge of data protection law and practices and the ability to fulfil the tasks referred to in Article 39."

These are:

- Informing and advising the controller or the processor and their employees of their data protection obligations.
- Monitoring compliance with the Regulation, including the assignment of responsibilities.
- Awareness-raising and training of staff involved.
- Providing advice where requested as regards the data protection impact assessments (DPIAs) and monitoring compliance and performance.
- Engaging with the Information Commissioner's Office or relevant Supervisory Authority.

The Regulation also stipulates that the DPO reports directly to top level management and must be given all resources necessary to carry out their functions.

It's clearly a substantial role – but how do you know if you need to appoint one?

Transfer of your information out of the EEA

We may transfer your personal information to the following which are located outside the European Economic Area (EEA) as follows:

- when requesting expert's opinion from your country of origin to progress your case;
- liaise with the British Embassy abroad to discuss your case

Such countries do not have the same data protection laws as the United Kingdom and EEA. Whilst the European Commission has not given a formal decision that non-EEA countries provide an adequate level of data protection similar to those which apply in the United Kingdom and EEA, any transfer of your personal information will be subject to the General Data Protection Regulation that are designed to help safeguard your privacy rights and give you remedies in the unlikely event of a misuse of your personal information.

If you would like further information, please contact our Data Protection Officer (see 'How to contact us' below). We will not otherwise transfer your personal data outside of the [United Kingdom OR EEA] or to any organisation (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

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Your rights

Under the General Data Protection Regulation, you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your personal information
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address
- require us to correct any mistakes in your information which we hold
- require the erasure of personal information concerning you in certain situations
- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations
- object at any time to processing of personal information concerning you for direct marketing
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
- object in certain other situations to our continued processing of your personal information
- otherwise restrict our processing of your personal information in certain circumstances
- claim compensation for damages caused by our breach of any data protection laws

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office (ICO) on individual's rights under the General Data Protection Regulation.

If you would like to exercise any of those rights, please:

- email, call or write to our Data Protection Officer
- let us have enough information to identify you (*e.g. reference number, name, registration details, etc*),
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates, including any account or reference numbers, if you have them

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

- We have the latest firewalls/antivirus on all our computers, iPad and work mobile phone;
- Our client portal is password protected;
- All our electronic devices are password protected;
- All emails to clients are sent via recorded delivery;
- All court bundles, Home Office applications are sent via Special Delivery;

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- We do not discuss/send your file of papers to anyone prior to receiving written consent from you followed by a telephone conversation for you to confirm the same;

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

Our business website/Facebook/Twitter/Google pages

Our business website/Facebook/Twitter/Google pages are managed by Yell. No personal clients' information is stored on our business website/Facebook/Twitter/Google pages.

Taking payment via telephone or face-to-face

We use Worldpay as our payment terminal. Our company has successfully self-validated our compliance with the requirements of the PCI DSS (Payment Card Industry Data Security Standard) version 3.2 on 10/05/2017.

This compliance status is based on the information provided by Reliable Law Services Ltd regarding compliance with the PCI DSS version 3.2 and is valid until 10/05/2018 pursuant to the condition of issuing laid down below.

To remain compliant with the PCI DSS, it is the responsibility of our company to:

- maintain compliance with all PCI DSS requirements;
- attest to compliance on an annual basis;
- any information provided via telephone to process payments are immediately destroyed after use;
- we do not keep these information for future payment;
- we would request for the same information for future payments;
- we would request to payment online bank transfer to the company business bank account only; and,
- we would urge our clients to use their reference number for any payments made to us.

Client Portal

We set up a client portal for you to track progress on your file, send us a secure email and download letters, invoices and other documents in connection with your immigration file. You may choose to opt out of this service. The portal is password protected.

Firewall and antivirus

Reliable Law Services uses the F-Secure SAFE antivirus and firewall software to protect its devices. All the devices (desktop or portable) have the F-Secure installed with latest update. We pay yearly subscription for this service via virgin media that provides us with fast broadband service.

Access to your records

We reassure that only employees connected to your case will have access to your data. The receptionist does not have access to your data. When you call for an update, the receptionist will take your details for one of legal advisers will get in touch to address your queries.

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Trainings

All our staff receive adequate training to protect clients' personal data. Reliable Law Services has devised a GDPR training pack for all the employees to read and sign. The pack will be updated every 3 years.

Storage of your personal data

Online: emails are stored in clients' folder. Documents are scanned and stored in clients' folder.

Hardcopy: client's folders are kept locked in filing cabinet in the office. The office is locked out of hours and no access is granted to any employee without prior written consent from the director and the DPO. In case, an adviser is attending tribunal, he or she must sign the release form to take clients' folders out of the office.

Monitoring of communications

Subject to applicable laws, we'll monitor and record your calls, emails, text messages, social media messages and other communications in relation to your immigration matter with us. We'll do this for regulatory compliance, self-regulatory practices, crime prevention and detection, to protect the security of our communications systems and procedures, to check for obscene or profane content, for quality control and staff training and when we need to see a record of what's been said. We may need to monitor activities on your account where necessary for these reasons and this is justified by our legitimate interests or our legal obligations.

Disclosure – legal obligation

Solicitors Regulation Authority and Office of the Immigration Services Commissioner may from time to time carry out file audits to ensure that we abide to the law and provide the best level of service to you. We will notify you when this takes place. We may also disclose your information to prevent the commission of crime or in the interest of justice where your information is material to an outcome of a criminal proceeding.

How to complain

We hope that our Data Protection Officer can resolve any query or concern you raise about our use of your information.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

Changes to this privacy notice

This privacy notice was published on 22/02/2018 and last updated on 02/04/2018.

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We may change this privacy notice from time to time. You should check this policy occasionally to ensure you are aware of the most recent version.

How to contact us

Please contact **Mr Kam Gunnoo**, our Data Protection Officer, if you have any questions about this privacy notice or the information we hold about you.

If you wish to contact **Mr Kam Gunnoo**, our Data Protection Officer, please send an email to kam@reliablelawservices.org.uk, write to 500 Avebury Boulevard, Milton Keynes, MK9 2BE or call 02039501745.

Do you need extra help?

If you would like this notice in another format (for example: audio, large print, braille) please contact us (see 'How to contact us' above).