
carpenters group

Fair Processing Notice – Carpenters Limited

Fair Processing Notice

Carpenters Limited has a legal duty to comply with all relevant current data protection legislation which in England and Wales is the Data Protection Act 2018. Carpenters Limited is accredited with the Quality Standard in Information Security ISO27001.

As Data Controllers and/or Processors, we must provide you with details of personal information we may collect about you, how we may use it and what we do to keep it secure. We also explain your rights in respect of your personal information and how to contact us should this become necessary.

Lawful Processing of Data - Personal Data

You have provided consent for your data to be passed to Carpenters Limited directly or via your insurer, for the purpose of instructing the firm to act for you with regards to a legal claim. As Data Controllers, under the retainer that you have entered into with us, we will process and store your personal data on one or more of the following Data Protection conditions:

- with your consent;
- processing is necessary for the performance of a contract with you or to take steps to enter into a contract with you;
- processing is necessary for compliance with a legal obligation;
- processing is necessary for the purposes of legitimate interests pursued by the data controller or a third party, except where such interests are overridden by your interests, rights or freedoms.

Where consent has been provided, you have the right to withdraw that consent at any time by contacting our Data Protection Officer whose details are provided at the end of this Notice.

Lawful Processing - Special Category Data

Depending on the nature of your claim with us, we may need to process and/or store your medical and/or employment data, which, for the purposes of data protection, is classed as a "special category" of data. If so, the processing will be on one or more of the following conditions:

- with your explicit consent;
- processing is necessary for the establishment, exercise or in defence of legal claims or courts are acting in their judicial capacity;
- processing is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of Union or Member State law or a contract with a health professional.

We will obtain your signed consent to allow your medical records and data to be processed in line with our instructions. Data processing may be via electronic means and/or in paper format and will be stored for the purpose it has been obtained and for as long as it is needed for that purpose and to fulfill our regulatory and/or legal obligations.

Data Sharing

We may have to share your data with third party organisations and individual(s) involved in the claims process. All of these third parties have a legal duty to comply with data protection legislation and will process your data on our behalf. These may include the following types of third parties:

- Government backed motor data institutions such as the Motor Insurers Bureau and/or the Claims/OIC Portal;
- Fraud prevention bodies such as the Insurance Fraud Bureau or the Motor Insurer Anti-Theft Agency;
- Solicitors Regulation Authority, Financial Conduct Authority, Legal Ombudsman and quality auditors (Lexcel/ISO27001);
- Registered medical agencies and/or professional medical experts, hire and/or repair and/or engineer companies;
- Your insurer and the third party's insurer.

When bringing a claim, the Small Claims Notification Form will be shared with the Defendant as part of the process. If wish to have your data partially redacted please inform your file handler immediately. A claimant cannot bring a claim anonymously.

In these circumstances, we will use all best endeavours to ensure that your information is properly protected and that it is only used in accordance with this privacy policy.

Electronic Signatures

To support our electronic communication strategy we will use e-signatures where appropriate with software provided by Legal Esign. These signatures are secure, audited and legally admissible.

For further information please view www.legalesign.com

Retention of information

We keep personal information for as long as necessary to ensure we can fulfil to meet our legal and operational requirements in accordance with current Data Protection legislation and applicable regulation.

Your Individual Data Rights

You can ask us to update, remove, transfer or stop processing your personal data by contacting your claim handler, using the email address below, via our App/Web or by telephone.

You also have the right to request a copy of the personal data that we hold about you – this is called a subject access request. We must comply within one month or explain why that may not be possible.

We have processes in place to identify your personal data to enable us to make **reasonable efforts** in searching our systems to identify your personal data although we may charge for any complex requests. There may be occasion where a request is deemed to be unreasonable and/or excessive and we will explain why this is the case. Please note that a subject access request entitles you to a copy of your personal data, not all documents in which it is contained.

We cannot guarantee that all calls are recorded across the business and therefore we may not have calls relating to your file. Our storage capacity is limited and therefore calls are overwritten, there is no specific time frame as it will depend on volumes at any given time. Calls relating to legal files are not attached to individual files and do not sit in the file history within our case management system. We have no obligation to record calls.

You have the right to lodge a complaint with the Supervisory Authority which in the UK is the Information Commissioners' Office with whom we are registered under reference ZA147287. www.ico.org or via telephone 0303 123 1113. We will take all reasonable steps to confirm your identity before complying with any requests in relation to your data.

Our interim Data Protection Officer is Robyn O'Grady – riskandcomplianceteam@carpentersgroup.co.uk

Version	Name	Document Update	Signed Off	Date
0.1	Maria Rodman	Updated existing policy for discussion	Project Team	03.10.2017
0.2	Maria Rodman	Reviewed for inclusion with CCD	Project Team	21.12.2017
1.0	Robyn O'Grady	Final review (Informed Art13/14)	Maria Rodman	16.04.2018
3.0	MRO	Review and update information relating to subject access	Maria Rodman	19.07.2019
4.0	MRO	Remove reference to protocol, consent/general review	Alan Hayes	16.07.2020
5.0	ROG	Review and update regarding electronic signatures	Maria Rodman	18.09.2020
6.0	ROG	Updated re Defendant CNF	Maria Rodman	23.09.2021
7.0	ROG	Owner Update	Maria Rodman	16.02.2022
8.0	ROG	Review, updated as CL only	Maria Rodman	14.02.2023
9.0	ROG	Contact/Owner update	Alan Hayes	15.09.2023
10.0	ROG	Update	Richard Norbury	03/11/2023

Owner: Robyn O'Grady (ROG)