

## PRIVACY NOTICE – EDGE HILL UNIVERSITY LAW CLINIC

This Privacy Notice provides an overview of how Edge Hill University's Law Clinic will use any personal information you provide to us in relation to your legal query. This notice should be read in conjunction with the [University Privacy Policy](#) which is available on the University website.

The policy sets out additional information on your rights and how we share and manage your data.

### What information do we collect about you?

In the course of assisting you with your legal problem, we collect the following personal information from you:

- Name, address, date of birth, pronoun and contact details including telephone, address (and email where appropriate)
- Additional information in relation to your legal problem to enable us to advise you.

### Sensitive personal information

Depending on your case we might need to ask you for, and use, information about you which is of a sensitive nature, for example information about your health and finances. We will exercise particular care in handling that information and it is only collected and processed as it is necessary. You do not have to provide us with this information; however, if you do not our ability to advise you on your legal problem might be affected.

### Why do you need my information?

- We need your personal information in order to provide you with help with a legal problem in accordance with your instructions.
- We may also need your data for regulatory purposes, for example if our regulators, the Solicitors Regulation Authority (SRA) or the Legal Services Ombudsman need to investigate a complaint or conduct an audit.

### What allows you to use my information?

- **Consent:** We can use your information if you give us permission to do so. You can withdraw your consent at any time.
- **Contract:** We can use your information if we have a formal agreement to do so. When we agree to provide you with legal services, we ask you to sign an agreement about the service we will provide. **Legal Obligation:** We have a legal obligation to keep records of your case to the end of the current academic year plus 6 years in case of a complaint investigation.
- **Vital Interest:** We can use your information if it is necessary to protect someone's life.
- **Public Task:** We can process your information if it is necessary for a task we have to do in the public interest or for our official functions.
- **Legitimate interests:** We can process your data if it is necessary to protect your legitimate interests of the legitimate interests of a third party unless there is a good reason not to.

### Who will my information be shared with?

Normally the only people who will see your data on your case file are the people who work on your case, who are:

- The lawyer who is advising you
- A small team of students who will work on your case
- The Clinic administrators
- Interpreters (if needed)

### **Third Parties**

The University works with third parties, including external law firms, to assist and support the students in the handling of your matter. The University currently works with the following external solicitor(s); Kristina Stoddern, Maxwell Hodge Solicitors; Darren White, HCB Solicitors Ltd.

Sometimes a lecturer in the Law School who does not work in the Law Clinic may see some of your information when reviewing student work or observe teaching for quality and supervision. Some of the student work is assessed, so an external examiner may see your data when looking at the students' work.

Where external solicitors, barristers or non-practising solicitors volunteer to work on your legal query, it may be necessary to share your personal information, such as your name and address, with the organisation they work for to prevent any risk of a conflict of interest (see below for more about conflict checks). They may retain your contact details and also send follow up correspondence to you from their firm.

Where there are no conflict and external volunteers are providing supervision or advice to you, we will also provide details of your legal query to them (which may include sensitive personal information – see below).

The lawyers working in the Clinic have a professional duty of confidentiality because they are regulated by the SRA or the Bar Standards Board. Students, the administrators, interpreters and external examiners all agree to follow the same codes of conduct as solicitors in order to protect confidentiality. If we are investigated by one of our regulators, or there is a claim against us, the regulators or the insurers may see your file.

From time to time we produce reports about our work, which will include information such as the number of clients we have advised and the type of problems we have assisted them with. Your data will be used to prepare these reports, but all information published and shared is anonymous and your details will not be shared.

If we need to share your information with another professional in order to help with your case, apart from external solicitors, barristers or non-practising solicitors who volunteer work with the University Law Clinic, we will ask for your permission before doing so.

### **Conflict Checks**

Those persons working on your legal problem have a duty to act in your best interest and are required by the SRA to guard against anything that may prevent or appear to prevent this. Therefore, before taking on your case, we (and our advisor volunteers) will undertake a conflict check to ensure we are not currently working on a matter, or have previously worked on a matter, that may impact on our ability to fulfil this duty.

### **Basis for keeping information**

The reasons below set out why the Law Clinic retain some information:

- to comply with legal or regulatory requirement
- in order to carry out a conflict of interest search
- in the event that a complaint is made or a claim is made against the Law Clinic's insurers
- the need to ensure that information is accurate and up to date
- for the purposes of research and statistical analysis, subject to consent and/or the anonymisation of information

- where retention of information is exempt for the general data protection principles, such as in connection with the exercise of the 'right to be forgotten' (for the establishment, exercise or defence of legal claims) and,
- in order to respond to a subject access request.

### **How long will you keep this data for and why?**

When your case is finished, we will retain your client file for 6 years from the end of the current academic year, unless you have given us specific instructions to the contrary. In order to avoid conflicts of interest we keep basic information about you (name, address, nature of the query and the other parties involved) on our electronic database for as long as necessary to ensure that we can fulfil our legal and operational requirements in accordance with current data protection legislation and applicable regulation.

If you submit an enquiry via our online enquiry form, but subsequently we do not assist you with your legal problem, the details we hold about you on our electronic database will be destroyed at the end of the current academic year.

### **How will my information be stored?**

All information collected by Edge Hill University Law Clinic is stored on our secure servers. Students working on your case may also save work on a secure University file storage system.

If we have a paper file, it will be stored in a locked filing cupboard in the School of Law, Criminology and Policing's Law Clinic. If lawyers work from home, they will store your file in a locked drawer or cupboard in their home. No one except the lawyers can remove files from the Law Clinic.

When your case is finished, we will keep an electronic record of your case file in our secure servers. If there is a paper file, it will be stored in the University's secure archiving system.

### **What rights do I have when it comes to my data?**

Under the DPA and UK General Data Protection Regulation, you have the right to know what information is processed about you and how it is processed. You also have the following rights (which may be limited in certain circumstances):

- to access your personal information
- to rectify inaccurate information
- to restrict processing of your information
- to object to processing of your information

To find out more about your rights under the GDPR, please visit the Information Commissioner's website.

To request a copy of your data or ask questions about how it is used, contact the Edge Hill University Data Protection Officer:

- Email: [dataprotection@edgehill.ac.uk](mailto:dataprotection@edgehill.ac.uk)
- Post: Data Protection Office, Edge Hill University, St Helens Road, Ormskirk, Lancashire, L39 4QP

### **Who can I complain to if I am unhappy about how my data is used?**

You can complain directly to the University's Data Protection Team by writing to the University's Data Protection Officer.

You also have the right to complain to the Information Commissioner's Office using the following details: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow SK9 5AF.