



DATA PROTECTION, CONFIDENTIALITY AND INFORMATION SECURITY POLICY

Purpose

This policy sets out how Signature Law Ltd complies with the current Data Protection Act Regulations, confidentiality issues, information security and the SRA's regulatory requirements including outcome 7.5 and Chapter 4 of the current SRA Code of Conduct.

Application

This policy applies to all managers and employees of Signature Law Ltd, including those undertaking works through a consultancy arrangement, in a volunteer capacity, on a temporary basis, or through an agency. The term 'employees' is used to refer to managers and employees.

All employees must familiarise themselves, and comply with, this policy and related procedures. Failure to comply with this policy and the related procedures will result in disciplinary action because of the significant risks of fines, enforcement action, reputational consequences and disciplinary action.

Responsibilities

All employees are responsible for ensuring that all types of data are properly protected. Any issues or concerns about the DPA must be raised with the COLP, Sital Somaiya. The policy is reviewed and updated annually.

The Firm ensures that all computers automatically log off if there is no activity on the device for 5 minutes. 'Strong passwords' are provided by the Firm's IT engineer who will periodically provide changes to the passwords as and when necessary.

The Firm prohibits the use of USB sticks on all devices at the office.

Retention and Disposal of Information

We retain information for the periods set out in the Information Asset Register. These periods reflect our data protection obligation not to keep personal data for longer than is necessary, and also our statutory, regulatory and business needs to keep records.

Thereafter information is disposed of securely, by shredding, electronic deletion, or otherwise as appropriate.

Data protection

Signature Law Ltd must keep certain information on its clients, employees and suppliers to carry out its day-to-day operations, to meet its objectives and to comply with legal obligations. The DPA applies to personal data and sensitive personal data but Signature Law Ltd must keep all client and employee information confidential and all information secure.

Signature Law Ltd is committed to ensuring personal data is dealt with in compliance with the DPA. The aim of the DPA is to protect the rights of individuals (data subjects) about whom Signature Law Ltd holds 'personal data'.

The DPA imposes duties on those who decide how and why such data is processed (data controllers). The definition of 'processing' is obtaining, using, holding, amending, disclosing, destroying or deleting personal data.

'Personal data' means data which relates to a living individual who can be identified from that data or from that data and other information which is in the possession of or likely to come into the possession of Signature Law Ltd. Examples are a person's name, address and date of birth but the definition also includes information which allows an individual to be identified, e.g. a unique reference number. The definition includes any expression of opinion about the individual and any indications of the intentions of the data controller or any other person in respect of the individual.

Personal data includes all data held electronically but also data held in a 'relevant filing system', i.e. non-automated records which are structured in a way which allows ready access to information about individuals.

All personal data must be processed in accordance with the eight data protection principles which require that data will:

- be obtained fairly and lawfully and not be processed unless certain conditions are met;
- be obtained for a specific and lawful purpose;
- be adequate, relevant but not excessive;
- be accurate and kept up to date;
- not be held longer than necessary;
- be processed in accordance with the rights of data subjects;
- be subject to appropriate security measures;
- not be transferred outside the European Economic Area (EEA).

Signature Law Ltd must process personal data in accordance with one of the conditions for processing (usually consent) and fairly and lawfully.

Clients are provided with the necessary information about how their data will be processed in the client care letter/terms of business. If clients have any queries, employees must contact the COLP, Sital Somaiya for advice.

Sensitive personal data

Signature Law Ltd processes data about clients which will include sensitive personal data. The terms of business explain to clients how their data will be processed and seek explicit consent to the processing. If a client has a query about sensitive personal data, guidance should be sought from the COLP.