

## **DATA PROTECTION POLICY**

JF Legal Services Limited ("JFLS") is required to adhere to the Data Protection Act 1998 ("DPA"), as it will be necessary to hold personal information on clients in order to undertake the work of the business.

The DPA implements the European Data Protection Directive and applies to all personal data which is held either electronically or in a manual filing system.

JFLS holds personal information about individuals, such as their name and home address, who accordingly are defined as "data subjects" under the Act. Such data must only be processed in accordance with this policy. Any breach of the policy may result in JFLS, as the registered "data controller", being liable in law for the consequences of the breach.

### **Data Protection Principles**

All data controllers must comply with the eight data protection principles which set out how data is to be processed. "Processing" includes obtaining, recording, holding or storing information and carrying out any operations on the data, including adaptation, alteration, use, disclosure, transfer, erasure, and destruction. The Principles of the DPA are:

1. Personal data shall be processed fairly and lawfully.
2. Personal data shall be held only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose for which it is processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose.
6. Personal data shall be processed in accordance with the rights of the data subject under the DPA.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of the data.
8. Personal data shall not be transferred to a country or a territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

The DPA defines "personal data" and "sensitive personal data". JFLS ensures that the necessary conditions are satisfied for the processing of personal data and that the extra, more stringent, conditions are satisfied for the processing of sensitive personal data.

### **Personal Data**

Personal data has a broad ranging definition and can include details such as home and work address, age and telephone number.



### Sensitive Personal Data

Sensitive personal data includes racial/ethnic origin, religious beliefs, trade union membership, physical or mental health or condition and criminal record.

### **Access to data**

The Act gives data subjects a right to access personal data held about them by JFLS. This is called a Subject Access Request ("SAR"). Should you wish to obtain a copy of the data held, JFLS is entitled to charge a small fee to provide the same.

However, should any data subject wish for their data to be provided, in the first instance please write to your contact, it may be that such information can be disclosed without recourse to an SAR. This would be without prejudice to the data subject's right to make any such SAR.

JFLS will keep a record of all requests for data, whether informal or a formal SAR.

Any SAR made must be complied with in the time periods set down by the Act, and JFLS will do so, significantly earlier where possible, unless there is any legitimate reason not to.

If any such reason exists or materialises, JFLS will write to the data subject making the SAR and set down the reasons for any delay.

### **Retention of data**

Personal data must only be kept for the length of time necessary to perform the processing for which it was collected. Some forms of data need to be retained longer than others to comply with legal and other requirements. This applies to both electronic and non-electronic personal data. In the case of JFLS, currently this period is six years.

### **Data security**

JFLS ensures that all personal data held is kept securely. We will ensure that it is not disclosed to any unauthorised third party in any form either accidentally or otherwise.

### **Designated data controller**

JFLS has an individual responsible for ensuring compliance with the DPA and implementation of this policy. The data controller can be contacted at:

The Data Controller  
JF Legal Services Limited  
22 Friars Street  
Sudbury  
Suffolk  
CO10 2AA