

ROYTHORNES NOTARIAL SERVICES

DATA PROTECTION PRIVACY NOTICE

1. Roythornes Notarial Services (which includes each individual Notary) (referred to in this notice as the “**Business**”, “**we**”, “**us**” or “**our**”) is committed to protecting and respecting your privacy and security of your personal information.

This privacy notice (“**Notice**”) sets out the basis on which any personal data we collect from you, or that you provide to us, will be used by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

2. The business of **ROYTHORNES NOTARIAL SERVICES** of **ENTERPRISE WAY, PINCHBECK, SPALDING, LINCOLNSHIRE, PE11 3YR** is registered with the Information Commissioner’s Office (“**ICO**”) under number ZA194372 and is the data controller and responsible for your personal data.
3. If you have any questions about this Notice, please contact us at the details provided below.
4. The Business will process your and third parties’ personal data, as further explained below, in the course of providing you with notarial and associated services (“**Services**”).
5. We will let you know, by posting on our website or otherwise, if we make any changes to this Notice from time to time. Please check back frequently to see any updates or changes to our Notice. Your continued use of the Services after notifying such changes will amount to your acknowledgement of the amended Notice.
6. **PLEASE NOTE:** You shall and you hereby agree to indemnify the Business and its affiliates and their officers, employees, agents and subcontractors (each an “**Indemnified Party**”) from and against any claims, losses, demands, actions, liabilities, fines, penalties, reasonable expenses, damages and settlement amounts (including reasonable legal fees and costs) incurred by any Indemnified Party arising out of or in connection with any breach by you of the warranties included in paragraph 10.

What is Personal Data?

7. “**Personal data**” means any information about an individual, known as a ‘**data subject**’, from which that person can be identified directly or indirectly; it may include name, address, email address, phone number, financial information, IP address, location data, cookies and similar information. It may also include “**special categories of personal data**” such as data concerning health or data concerning a natural person’s sex life or sexual orientation. It does not include data where the identity has been removed (anonymous data).
8. The Business may process personal data and special categories of personal data which you provide in connection with the Services about yourself and other data subjects, e.g. individuals whose details are included in any materials provided by you to the Business. The Business may obtain information about you and other data subjects from third party service providers, such as due diligence platforms.
9. The provision of certain personal data is mandatory in order for the Business to comply with mandatory client due diligence requirements and consequently to provide the Services. You warrant on a continuous basis that such personal data is accurate, complete and up to date. Failure to comply may result in documents being rejected by the relevant certification authorities, held invalid in the destination country or other difficulty to successfully completing the Services.
10. In relation to personal data of data subjects you warrant to the Business on a continuous basis that:
 - (a) where applicable, you are authorised to share such personal data with the Business in connection with the Services and that wherever another data subject is referred to, you have obtained the explicit and demonstrable consent from all relevant data subjects to the inclusion and use of any personal data concerning them;
 - (b) to the extent this is required in connection with the Services, such personal data is accurate, complete and up to date; and

- (c) either you provide your explicit consent and warrant that each data subject has provided explicit consent for the transfer of personal data to foreign organisations in connection with the Services as set out at paragraph 13, or that an alternative legal gateway for such transfer (such as transfer necessary for the conclusion or performance of a contract concluded in the interest of the data subject) has been satisfied.

How do we use your personal data?

11. The Business will only process personal data, in accordance with applicable law, for the following purposes:

- (a) **responding to your queries, requests and other communications;**
- (b) **providing the Services**, including, where applicable, procuring acts from foreign organisations;
- (c) **enabling suppliers and service providers to carry out certain functions on behalf of the Business in order to provide the Services**, including webhosting, data storage, identity verification, technical, logistical, courier or other functions, as applicable;
- (d) **ensuring the security of the Business and preventing or detecting fraud;**
- (e) **administering our Business**, including complaints resolution, troubleshooting, data analysis, testing of new features, research, statistical and survey purposes;
- (f) **developing and improving our Services;**
- (g) **to provide you, or permit selected third parties to provide you, with information about services we feel may interest you.**
- (h) **complying with applicable law**, including Notary Practice Rules, guidelines and regulations or in response to a lawful request from a court or regulatory body.

The legal basis for our processing of personal data for the purposes described above will typically include:

- the individual has given clear consent for us to process their personal data for a specific purpose, such as processing for the purposes set out in paragraph (g);
- processing necessary to fulfil a **contract** that we have in place with you or other data subjects, such as processing for the purposes set out in paragraphs (a), (b) and (c);
- processing necessary for our or a third party's **legitimate interests**, such as processing for the purposes set out in paragraphs (a), (b), (b), (d), (e) and (f), which is carried out on the basis of the legitimate interests of the Business to ensure that Services are properly provided, the security of the Business and its clients and the proper administration of the Business; and
- processing necessary for compliance with a **legal obligation** to which we are subject, such as processing for the purposes set out in paragraph ~~(h)~~(g); and
- any other applicable legal grounds for processing from time to time.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Disclosure of personal data

12. There are circumstances where the Business may wish to disclose or is compelled to disclose your personal data to third parties. These scenarios include disclosure to:

- Roythornes Limited of Enterprise Way, Spalding, Lincolnshire, PE11 3YR, who facilitate the provision of the Services by providing us with services including administrative assistance, office space and IT and storage facilities;
- our other **suppliers** and **service providers** to facilitate the provision of the Services, including couriers, translators, IT consultants and legalisation and other handling agents, webhosting providers, identity verification partners (in order to verify your identity against public databases),

consultants, for example, in order to protect the security or integrity of our business, including our databases and systems and for business continuity reasons;

- **public authorities** to carry out acts which are necessary in connection with the Services, such as the Foreign Office;
- **foreign organisations** to carry out acts which are necessary in connection with the Services, such as Embassies, Consulates and High Commissions;
- **professional organisations** exercising certain public functions in relation to the notaries profession, such as Chambers of Commerce;
- subject to your consent, our **advertising** and **marketing partners** or who may contact you by post, email, telephone, SMS or by other means;
- **successor or partner legal entities**, on a temporary or permanent basis, for the purposes of a joint venture, collaboration, financing, sale, merger, reorganisation, change of legal form, dissolution or similar event relating to a Business. In the case of a merger or sale, your personal data will be permanently transferred to a successor company;
- **public authorities** where we are required by law to do so; and
- **any other third party** where you have provided your consent.

All our third-party service providers and other related entities are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

International transfer of your personal data

13. We may transfer your personal data to a third party in countries outside the country in which it was originally collected for further processing in accordance with the purposes set out above. In particular, your personal data may be transferred to foreign organisations such as foreign Embassies located in the UK or abroad or to foreign solicitors acting for you. Such organisations will process personal data in accordance with the laws to which they are subject and international treaties over which the Business has no control.
14. If the Business transfers personal data to private organisations abroad, such as subcontractors, it will, as required by applicable law, ensure that your privacy rights are adequately protected by appropriate technical, organisation, contractual or other lawful means. You may contact us for a copy of such safeguards in these circumstances.
15. We may transfer your personal data outside of the EEA in order to perform any contract and if necessary for the performance of the Services. For example, if we have been asked to provide a copy of our Notarial Act to a solicitor abroad.

Retention of personal data

16. Your personal data will be retained for as long as is reasonably necessary by the Business and the individual Notary who performs the relevant Services for the purposes listed above or as required by the law. For example, the Notaries Practice Rules require that notarial acts in the public form shall be preserved permanently. Records of acts not in public form shall be preserved for a minimum period of 12 years. Please contact us for further details of applicable retention periods. Personal data may for reasons of security and convenience be stored on remote data facilities but in an encrypted form.

Security of personal data

17. The Business will implement technical and organisational security measures in order to prevent unauthorised access to your personal data.
18. However, please be aware that the transmission of information via the internet is never completely secure. Whilst we can do our best to keep our own systems secure, we do not have full control over all processes involved in, for example, your use of our website or sending confidential materials to us via email, and we cannot therefore guarantee the security of your information transmitted to us on the web.
19. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access. We limit access to your personal information to third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.
20. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Data subject rights

21. Data subjects have numerous rights in relation to their personal data. For further information about your data protection rights please visit the ICO website: <https://ico.org.uk/>.

- **Right to make a subject access request (SAR).** Data subjects may request in writing copies of their personal data. However, compliance with such requests is subject to certain limitations and exemptions and the rights of other data subjects. Each request should make clear that a SAR is being made. You may also be required to submit a proof of your identity and payment, where applicable.
- **Right to rectification.** Data subjects may request that we rectify any inaccurate or incomplete personal data.
- **Right to withdraw consent.** Data subjects may at any time withdraw their consent to the processing of their personal data carried out by the Business on the basis of previous consent. Such withdrawal will not affect the lawfulness of processing based on previous consent. In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purpose you originally agreed to, unless we have another legitimate basis for doing so in law.
- **Right to object to processing, including automated processing and profiling.** The Business does not make automated decisions. We will comply with any data subject's objection to processing unless we have a compelling overriding legitimate ground for the processing, the processing is for the establishment, exercise or defence of legal claims or we have another lawful reason to refuse such request. We will comply with each valid opt-out request in relation to marketing communications.
- **Right to erasure.** Data subjects may request that we erase their personal data. We will comply, unless there is a lawful reason for not doing so. For example, there may be an overriding legitimate ground for keeping the personal data, such as, our archiving obligations that we have to comply with.
- **Restriction.** Data subjects may request that we restrict our processing of their personal data in various circumstances. We will comply, unless there is a lawful reason for not doing so, such as, a legal obligation to continue processing your personal data in a certain way.
- **Right to data portability.** In certain circumstances, data subjects may request the controller to provide a copy of their personal data in a structured, commonly used and machine readable format and have it transferred to another provider of the same or similar services. To the extent

such right applies to the Services, we will comply with such transfer request. Please note that a transfer to another provider does not imply erasure of the data subject's personal data which may still be required for legitimate and lawful purposes.

- **Right to lodge a complaint with the supervisory authority.** We suggest that data subjects contact us about any questions or complaints in relation to how we process personal data. However, each data subject has the right to contact the relevant supervisory authority directly.

If you wish to exercise any of these rights please contact us in writing on the details below.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

This website

22. This website is the website of our service provider, Roythornes Limited. Please note that Roythornes Limited has their own privacy notice and cookies policy and that we do not accept any responsibility or liability for these. Please check these policies before you submit any personal data to this website.

Contact

23. Questions, comments and requests regarding this Notice are welcomed and should be addressed to Elizabeth Walters, and sent by email to lizziewalters@roythornes.co.uk or in writing to:

Lizzie Walters
Roythornes Notarial Services
Enterprise Way
Pinchbeck
Spalding
Lincolnshire
PE11 3YR