

Privacy notice – Debtor

1. Introduction

Wilkin Chapman LLP is the Data Controller and is committed to protecting the rights of individuals in line with the Data Protection Act 2018 (DPA) and the UK General Data Protection Regulations (UK GDPR), and where applicable, EU GDPR. This notice provides information on how Wilkin Chapman LLP (“we”) process personal data about debtors (“you”) in debt collection cases on behalf of our clients, the creditors.

The firm has appointed Jonathan Goolden as its Data Protection Officer. If you have any questions regarding this notice or the data we hold about you, please contact compliance@wilkinchapman.co.uk.

2. What information do we collect about you?

We will keep your personal data confidential (unless we are legally required to disclose it to a third party) and use it only to enable us to act in our client’s best interests and carry out their instructions.

‘Personal data’ means any ‘information relating to an identified or identifiable natural person (‘data subject’).’ In simple terms, information that can be used to identify who you are.

The personal data we collect may include:

- Name, address, date of birth
- Telephone numbers and email addresses
- Bank account details
- Health information
- Gender and nationality
- National insurance number and employment information

3. How will your information be used?

As part of our debt recovery services, we may collect, store, and use certain personal information about you. This information is used strictly for the purposes of pursuing outstanding debts on behalf of our clients and ensuring that the recovery process is conducted in a lawful, fair, and efficient manner.

4. What is the legal basis for processing your personal data?

We may lawfully process your personal data where we have a lawful basis for doing so. Lawful bases include using your data to fulfil our legitimate interest in our client recovering an unpaid debt from you and our contractual obligations to enable us to comply with our statutory and regulatory obligations.

5. Sharing and disclosing your information

We may share your information as part of our case management, it may be necessary to share your information with:

- Our client (creditor)
- Barristers
- Insurance companies
- The courts
- The police

- Credit rating agencies
- Public authorities
- National Crime Agency
- Serious Fraud Office
- Information Commissioner's Office

We require all third party service providers to keep your personal information confidential and to use it only for specific purposes and in accordance with our instructions.

We may use or share any of your personal data which you made public for purposes of communicating with you. We regard such processing of personal data as lawful processing as it is held on publicly accessible databases, registers or lists and its use by us will be compatible with the reasons that justify its presence on such databases, registers or lists.

6. Data transfers to third countries and the safeguards in place

Third Countries are any countries outside the European Union and the European Economic Area for whom UK GDPR does not apply. Some of these countries do not have adequate data protection controls. We will not transfer your personal data to third countries without:

- a valid adequacy regulation being in place; or
- implementing one of the appropriate safeguards.

7. How long will your information be held?

We will keep your personal data for no longer than is necessary for the above specified purposes. This is likely to be a minimum period of 7 years from the date we close your file, after which it will be confidentially destroyed. However, if the case involves property related proceedings, we will retain your information for 15 years. In some cases data is kept for a longer period of time to adhere to the Limitation Act.

This is subject to our obligations to adhere to any overriding legal requirements.

8. Automated decision making

We do not use automated decision-making processes, that have no human involvement.

9. Your rights

You have a right to access the personal information we hold about you. This includes your right to:

- know what personal data we hold about you
- know with whom we have shared/or will share your personal data with
- know how long we will store your personal data
- object to the processing of your personal data
- ask us to stop using/storing the information we hold about you where it is inaccurate, where we no longer need to use the information or where there is no lawful basis for us to continue to process it*
- ask us to erase the information we hold about you. (The right to be forgotten)
- ask us to transfer your data to you or another person in a secure and structured machine readable format.

Any requests or objections should be made in writing to:-

Jonathan Goolden
Data Protection Officer
Wilkin Chapman LLP
Cartergate House
26 Chantry Lane
Grimsby
DN31 2LJ.

Email: compliance@wilkinchapman.co.uk

*We will stop using/storing your information unless we can demonstrate why we have a legitimate business interest which overrides your interests, rights and freedoms.

10. Security of your information

We take every reasonable measure and precaution to protect and secure your personal data. We work hard to protect you and your information from unauthorised access, alteration, disclosure, loss or destruction. All our information is stored on secure servers, or cloud-based services in the UK.

We have several layers of security measures in place including a hardware firewall to prevent unauthorised access and anti-virus software, daily data back-ups, encryption of sensitive data, password protection and confidential shredding.

11. How to make a complaint

If you are unhappy with the way in which your personal data has been processed you may in the first instance contact Jonathan Goolden our Data Protection Officer using the contact details above, or by emailing compliance@wilkinchapman.co.uk

If you remain dissatisfied then you have the right to apply directly to the Information Commissioner for a decision.

The Information Commissioner can be contacted at: -

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Website: [Information Commissioner's Office \(ICO\)](https://www.ico.org.uk)

Contact ICO: [Contact us - public | ICO](https://www.ico.org.uk/contact-us)

The ICO helpline number is: 0303 123 1113.