

**PRIVACY NOTICE**  
**EFFECTIVE FROM 25 MAY 2018 (AMENDMENTS 6 FEBRUARY 2023)**

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**BACKGROUND:**

Girlings Personal Injury Claims Ltd understands that your privacy is important to you and that you care about how your Personal Data is used and shared. We respect and value your privacy and will only collect and use Personal Data in ways that are described here, and in a manner that is consistent with our obligations and your rights under the law (including the Data Protection Act 1998 (DPA) and, after 25<sup>th</sup> May 2018, The General Data Protection Regulation (GDPR)).

1. **Definitions and Interpretation**

In this Notice, the following terms shall have the following meanings:

- “Cookie”** means a small text file placed on your computer or device by Our Sites when you visit certain parts of Our Sites and/or when you use certain features of Our Sites. Details of the Cookies used by Our Sites are set out in section 14, below;
- “Cookie Law”** means the relevant parts of the Privacy and Electronic Communications (EC Directive) Regulations 2003;
- “Personal Data”** means any and all data that relates to an identifiable person who can be directly or indirectly identified from that data. This definition shall, where applicable, incorporate the definitions provided in the EU Regulation 2016/679 – the General Data Protection Regulation (“GDPR”); and
- “We/Us/Our”** means Girlings Personal Injury Claims LTD, a limited company registered in England under company number 07074440, whose registered address is 16 Rose Lane, Canterbury, Kent, CT1 2UR, and whose main trading address is Innovation House, Innovation Way, Discovery Park, Sandwich, Kent CT13 9FF.
- “Our Sites”** means our websites:  
[www.girlingspersonalinjury.co.uk](http://www.girlingspersonalinjury.co.uk)  
[www.medicalnegligencehelpdesk.com](http://www.medicalnegligencehelpdesk.com)  
[www.headinjurykent.co.uk](http://www.headinjurykent.co.uk)  
[www.girlingsmedicalnegligence.co.uk](http://www.girlingsmedicalnegligence.co.uk)  
[www.accidentclaimhelpdesk.co.uk](http://www.accidentclaimhelpdesk.co.uk)  
[www.hpermobilityclaims.com](http://www.hpermobilityclaims.com)

## 2. Information About Us

- 2.1 Girlings Personal Injury Claims LTD is a limited company registered in England under company number 07074440, whose registered address is 16 Rose Lane, Canterbury, Kent, CT1 2UR and whose main trading address is Innovation House, Innovation Way, Discovery Park, Sandwich, Kent CT13 9FF.
- 2.2 Our VAT number is GB982 2224 22.
- 2.3 We can be contacted by email at [enquiries@girlingspi.co.uk](mailto:enquiries@girlingspi.co.uk) , by telephone on 01227 784 784, or by post at Innovation House, Innovation Way, Discovery Park, Sandwich, Kent CT13 9FF.

## 3. Your Rights In Relation to Your Information

- 3.1 As a data subject, you have the following rights under the GDPR, which this Privacy Notice and Our use of Personal Data have been designed to uphold:
  - 3.1.1 **The right to be informed** about Our collection and use of Personal Data;
  - 3.1.2 **The right of access** to the Personal Data We hold about you (see section 13);
  - 3.1.3 **The right to rectification** if any Personal Data We hold about you is inaccurate or incomplete (please contact Us using the details in section 15);
  - 3.1.4 **The right to be forgotten** – i.e. the right to ask Us to delete any Personal Data We hold about you (We only hold your Personal Data for a limited time, as explained in section 8 but if you would like Us to delete it sooner, please contact Us using the details in section 15);
  - 3.1.5 **The right to restrict** (i.e. prevent) the processing of your Personal Data;
  - 3.1.6 **The right to data portability** (obtaining a copy of your Personal Data to re-use with another service or organisation);
  - 3.1.7 **The right to object** to Us using your Personal Data for particular purposes; and
  - 3.1.8 **Rights with respect to automated decision making and profiling.**

3.2 If you have any cause for complaint about Our use of your Personal Data, please contact Us using the details provided in section 15 and We will do Our best to solve the problem for you. If We are unable to help, you also have the right to lodge a complaint with the UK's supervisory authority, the Information Commissioner's Office.

3.3 For further information about your rights, please contact the Information Commissioner's Office or your local Citizens Advice Bureau.

#### 4. **What Data Do We Collect?**

We may collect some or all of the following personal and non-Personal Data (please also see section 14 on Our use of Cookies):

- name;
- date of birth;
- gender;
- business/company name;
- job title;
- profession;
- contact information such as email addresses and telephone numbers;
- passport or other identification documentation
- demographic information such as post code, preferences, and interests;
- IP address;
- web browser type and version;
- operating system;
- a list of URLs starting with a referring site, your activity on Our Sites, and the site you exit to.

Due to the nature of our business, we may also collect what is known as Sensitive Person Information (SPI). SPI is information about an individual that reveals their racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic information, biometric information for the purpose of uniquely identifying an individual, information concerning health or sexual orientation.

#### 5. **How Do We Collect Your Data?**

We may collect your data in the following ways:

- when you visit Our Sites
- when you contact us by telephone or email
- when you become a client
- from a third party

## 6. How Do We Use Your Data?

- 6.1 All Personal Data (including Sensitive Personal Information) is processed and stored securely. We will comply with our obligations and safeguard your rights under the GDPR at all times. For more information, please request a copy of our Sensitive Personal Information Protocol. Our use of your Personal Data will always have a lawful basis, either because it is necessary for our performance of a contract with you, because you have consented to our use of your Personal Data (e.g. by subscribing to emails), or because it is in our legitimate interests.
- 6.2 Specifically, We may use your Personal Data for the following purposes:
- Providing and managing your access to Our Sites;
  - Personalising and tailoring your experience on Our Sites;
  - Supplying Our services to you, but only as required for the furtherance of your matter (please note that We require your Personal Data in order to enter into a contract with you);
  - Personalising and tailoring Our products and services for you;
  - Replying to emails from you;
  - Supplying you with emails that you have opted into (you may unsubscribe or opt-out at any time by clicking the unsubscribe link at the bottom of the email);
  - Market research;
  - Analysing your use of Our Sites and gathering feedback to enable Us to continually improve Our Sites and your user experience.
- 6.3 With your permission, We may also use your data for marketing purposes which may include contacting you by email or telephone or text message or post with information, news and offers on Our products and services. We will not, however, send you any unsolicited marketing or spam and will take all reasonable steps to ensure that We fully protect your rights and comply with Our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003.
- 6.4 Third parties whose content appears on Our Sites may use third party Cookies, as detailed below in section 14. Please refer to section 14 for more information on controlling Cookies. Please note that we do not control the activities of such third parties, nor the data they collect and use and advise you to check the privacy policies of any such third parties.
- 6.5 You have the right to withdraw your consent to us using your Personal Data at any time, and to request that we delete it.

7. **What Is the Legal Basis for Processing Your Personal Data?**

<b>Use of Your Personal Data</b>	<b>Our Legal Basis for Using Your Personal Data</b>
<p>To provide guidance and information on our services, to respond to client enquiries, to manage and administer our business relationships, including to communicate with our clients, their employees (if any) and representatives, to administer client billing and payments, to collect and recover money that is owed to us and to keep records.</p>	<p>To fulfil our contract with our client(s) and to comply with legal and regulatory obligations including accounting, tax and data protection.</p>
<p>To undertake due diligence on new clients and suppliers.</p> <p>To help us identify, investigate, report and seek to prevent financial crime.</p> <p>To comply with laws and regulations that apply to us.</p>	<p>To comply with our legal and regulatory obligations including compliance with anti-money laundering legislation, crime prevention and fraud.</p>
<p>To provide information services to clients and potential clients, including by email updates and newsletters and to invite you to events that we may organise from time to time. This may include surveys to obtain feedback from you.</p> <p>To develop and carry out marketing activities and to show you information that is of interest to you, based on our understanding of your preferences (we combine information you give us with information we may receive about you from third parties to help us understand you better).</p>	<p>Where you have consented and expressed a preference to receive marketing communications; or if we feel it is appropriate and relevant to our business relationship with you.</p>

<b>Use of Your Personal Data</b>	<b>Our Legal Basis for Using Your Personal Data</b>
<p>To run our business in an efficient and proper way (e.g. audit, managing our business capability, evaluating and recruiting personnel, managing risk for us and our clients, finances, planning, communications with our own service providers and clients, corporate governance, responding to complaints and seeking to resolve them).</p>	<p>On the basis of our legitimate interests for the efficient operation of our business.</p>
<p>To maintain lists to ensure that you do not receive communications from us where you have objected to this or have unsubscribed.</p>	<p>To safeguard your rights and comply with our legal obligations.</p>
<p>To optimise our website. To collate information on how you interact with us and our services so that we can improve this if felt necessary.</p>	<p>Where we have consent from you or on the basis of our legitimate interests to operate and present an effective and convenient website to our website users.</p>
<p>To exercise our rights contained in agreements or contracts, website terms of use and other terms and conditions of business. This may include complying with contracts of employment and agreements with any consultants and other service providers/suppliers that we may use.</p>	<p>Fulfilling contracts or to protect our legal interests.</p>
<p>In certain circumstances, to ensure the security of our services, offices and people, including to protect against, investigate and deter fraud, unauthorised or illegal activities, systems testing, maintenance and development.</p>	<p>On the basis of our legitimate interests to operate a safe and lawful business or where we have a legal obligation to do so.</p>
<p>Sharing personal data if we decide to sell or transfer part of all of our business.</p>	<p>When needed to comply with our legal obligations and to facilitate the transaction.</p>

## 8. For How Long and Where Do We Store Your Data?

### 8.1 Emails and Correspondence (Business Related):

8.1.1 Digital – 10 years from completion of matter (stored in Mimecast)

8.1.2 Hard Copy – 6 years from completion of matter (hard copy files)

8.2 Server log information: we retain information on our server logs for one year from the date of collection.

8.3 Client services information: when you engage our services, we retain your information for a minimum of six years following payment of all our fees and expenses. We only keep medical records for a maximum of three months following payment of all our fees and expenses.

8.4 Correspondence and enquiries: when you make an enquiry or correspond with us for any reason, whether by email or via our contact form or by phone, we will retain your information for as long as it takes to respond to and resolve your enquiry, and for up to 3 years thereafter, after which point we will delete your information.

8.5 Marketing lists: we retain the information you used to sign up for our e-newsletter or marketing communications for as long as you remain subscribed (i.e. you do not unsubscribe or opt-out).

8.6 Client invoices: 7 years from end of relationship with customer, i.e. end of contractual relationship or date of last contact (whichever is later).

8.7 Client account details: 7 years from completion of matter from end of relationship with customer, i.e. end of contractual relationship or date of last contact (whichever is later)

8.8 All of your information is stored in the United Kingdom (UK).

Other than to comply with any legal obligations to which we are subject (compliance with a court order, for example) or where strictly necessary to perform the services you have requested, we do not intend to transfer your information outside the UK. In the unlikely event that we are required to transfer your information outside the UK for such a purpose, we will ensure appropriate safeguards and protections are in place (for example, by only transferring information via our own bank where payments need to be made to recipients outside the UK). We may also require the recipient to subscribe to international frameworks intended to enable data sharing.

## 9. **How Do We Keep Your Personal Data Secure?**

### 9.1 How we secure your information:

- We take appropriate technical and organisational measures to secure your information and to protect it against unauthorised or unlawful use and accidental loss or destruction, only sharing and providing access to your information to the minimum extent necessary, subject to confidentiality restrictions where appropriate, and on an anonymised basis wherever possible;
- using secure servers to store your information;
- verifying the identity of any individual who requests access to information prior to granting them access to information;
- using Secure Sockets Layer (SSL) software to encrypt any information you submit to us via any forms on our website;
- We encrypt data where we believe it to be appropriate.

### 9.2 Transmission of information to us by email

Transmission of information over the internet is not entirely secure, and if you submit any information to us over the internet (whether by email, via our website or any other means), you do so entirely at your own risk.

We cannot be responsible for any costs, expenses, loss of profits, harm to reputation, damages, liabilities or any other form of loss or damage suffered by you as a result of your decision to transmit information to us by such means.

## 10. **Do We Share Your Data?**

10.1 We may sometimes contract with third parties to support the services we provide to you, but only as required for the furtherance of your matter. These may include (but are not limited to) the third parties listed at Appendix A to this Notice. In some cases, the third parties may require access to some or all of your Personal Data. Where any of your data is required for such a purpose, we will take all reasonable steps to ensure that your data will be handled safely, securely, and in accordance with your rights, our obligations, and the obligations of the third party under the law.

10.2 We may compile statistics about the use of Our Sites including data on traffic, usage patterns, user numbers, sales, and other information. All such data will be anonymised and will not include any personally identifying data, or any anonymised data that can be combined with other data and used to identify you. We may from time to time share such data with third parties such as prospective investors, affiliates, partners, and advertisers. Data will only be shared and used within the bounds of the law.



- 10.3 In certain circumstances, We may be legally required to share certain data held by Us, which may include your Personal Data, for example, where We are involved in legal proceedings, where We are complying with legal, regulatory or Lexcel requirements, a court order, or a government authority.
- 10.4 We may share your Personal Data within our business group of companies, including Girlings Europe and Girlings Solicitors LLP.

## 11. **How Can You Control Your Data?**

- 11.1 In addition to your rights under the GDPR, set out in section 3, when you submit Personal Data via Our Sites, you may be given options to restrict Our use of your data. In particular, We aim to give you strong controls on Our use of your data for direct marketing purposes (including the ability to opt-out of receiving emails from Us which you may do by unsubscribing using the links provided in Our emails).
- 11.2 You may also wish to sign up to one or more of the preference services operating in the UK: The Telephone Preference Service (“the TPS”), the Corporate Telephone Preference Service (“the CTPS”), and the Mailing Preference Service (“the MPS”). These may help to prevent you receiving unsolicited marketing. Please note, however, that these services will not prevent you from receiving marketing communications that you have consented to receiving.

## 12. **Your Right to Withhold Information**

- 12.1 You may access certain areas of Our Sites without providing any data at all. However, to use all features and functions available on Our Sites you may be required to submit or allow for the collection of certain data.
- 12.2 You may restrict our use of Cookies. For more information, see section 14.

## 13. **How Can You Access Your Data?**

You have the right to ask for a copy of any of your Personal Data held by us (where such data is held). Under the GDPR, no fee is payable and we will provide the information (subject to certain limitations under GDPR to this right) in response to your request free of charge. Please contact us for more details at [enquiries@girlingspi.co.uk](mailto:enquiries@girlingspi.co.uk) or using the contact details below in section 15.

## 14. **Our Use of Cookies**

Our Sites may place and access certain first party Cookies on your computer or device. First party Cookies are those placed directly by Us and are used only by Us. We use Cookies to facilitate and improve your experience of Our Sites and to provide and improve Our products and services. By using Our Sites you may also receive

certain third party Cookies on your computer or device. Third party Cookies are those placed by websites, services, and/or parties other than Us. Third party Cookies are used on Our Sites for live chat. In addition, Our Sites use analytics services provided by Google, which also use Cookies. Website analytics refers to a set of tools used to collect and analyse usage statistics, enabling Us to better understand how people use Our Sites.

You can reject some or all of the Cookies we use on or via Our Sites by changing your browser settings but doing so can impair your ability to use Our Sites or some or all of their features.

## 15. **Contacting Us**

If you have any questions about this Privacy Notice, please contact Us by email at [enquiries@girlingspi.co.uk](mailto:enquiries@girlingspi.co.uk), by telephone on 01227 784 784, or by post at Innovation House, Innovation Way, Discovery Park, Sandwich, Kent CT13 9FF. Please ensure that your query is clear, particularly if it is a request for information about the data we hold about you (as under section 13, above).

## 16. **Changes to Our Privacy Notice**

We may change this Privacy Notice from time to time (for example, if the law changes).

Where we make minor changes to our Privacy Notice, we will update our Privacy Notice with a new effective date stated at the beginning of it. Our processing of your information will be governed by the practices set out in that new version of the Privacy Notice from its effective date onwards.

Where we make major changes to our Privacy Notice or intend to use your information for a new purpose or a different purpose than the purposes for which we originally collected it, we will notify you by email (where possible) or by posting a notice on our website.

We will provide you with the information about the change in question and the purpose and any other relevant information before we use your information for that new purpose.

Wherever required, we will obtain your prior consent before using your information for a purpose that is different from the purposes for which we originally collected it.

## **APPENDIX A – LIST OF THIRD PARTIES WITH WHOM WE MAY SHARE YOUR DATA**

After the Event Insurers such as ARAG and Allianz  
HMRC portals and web services  
The Court  
Costs draftsmen  
DWP  
Legal expenses insurer  
CRU  
Counsel  
Local authority  
Defendants and their insurers  
Medical Practitioners (both NHS and private)  
Pagination Service  
Accountant  
Pension provider  
Employer and former employer  
Treating consultants and rehabilitation teams and agencies  
Brain Injury Case Managers  
Deputy  
Coroner  
Medical agency such as UK Independent Medical  
Conference Call companies  
ASKCue  
MIB Services  
CICA  
Medco  
Surveillance Companies  
Tracing agents  
Lexcel  
SRA  
Police  
Recovery First  
APIL  
AVMA  
Expert witnesses  
Defendants' solicitors or former solicitors  
Legal 500  
Chambers and Partners

*\*Please note this list is not exhaustive*