

INTRODUCTION

Welcome to the Kain Knight Privacy Policy.

Kain Knight respects your privacy and is committed to protecting your personal data. This privacy policy will inform you how we look after your personal data when you visit our website, and when you engage with us in any way when you provide us with your personal data and information. Also we outline your privacy rights and how the law protects you.

You can download a pdf version of the policy here: <https://kain-knight.co.uk/privacy-policy/> . Please also use the Glossary to understand the meaning of some of the terms used in this privacy policy.

1. WHO WE ARE AND WHAT WE DO

Kain Knight is the UK's largest independent team of costs lawyers, handling costs disputes (at all levels) in the areas of clinical negligence and serious injury, commercial, and Court of Protection. We have an extensive network of over 60 cost specialists operating nationwide who work out of offices in Essex, London, Manchester, and Cornwall. The firm undertakes a notable amount of work in foreign jurisdictions, including Dubai, Jersey, and Guernsey, as well as being instructed by US firms operating in the UK.

We are the Data Controller of the personal data we process. That means we are responsible for deciding how we collect, use and store information about you. We are registered with the Information Commissioners Office (ICO) with registration number Z1449047

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

Contact details

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us. If you have any questions about this privacy policy or our privacy practices, please contact our data privacy manager in the following ways:

Full name of legal entity: Kain Knight Limited

Postal address: Kain Knight, Bentfield Place, Bentfield Road, Stansted, CM24 8HL

Email address: katie.allwright@kain-knight.co.uk

Telephone number: 01279 755552

Company Registration Number: 02567644

2. THE DATA WE COLLECT ABOUT YOU

We collect **Personal Data** (or personal information) means any information about an individual from which that person can be identified. We may also collect **Special Categories of Personal Data** about you (this might include details about your health for example) when dealing with a case.

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender
- **Contact Data** includes billing address, delivery address, email address and telephone numbers
- **Financial Data** includes bank account and payment card details

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

Direct interactions. You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise.

Automated technologies or interactions. As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract, we are about to enter into or have entered into with you (UK GDPR Article 6(b))
- Where we need to comply with a legal obligation (UK GDPR Article 6 (c))

- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests (UK GDPR Article 6 (f))
- Consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us (UK GDPR Article 6 (a))

5. PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below a description of all the ways we plan to use your personal data, and which legal basis we rely on. We have also identified our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data at that time. Please contact us if you need details about the specific legal basis we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	UK GDPR Article 6 - Lawful basis for processing (including basis of legitimate interest) UK GDPR Article 9 – Processing of Special Category Data
Sales and marketing which may include: - Contacting you as a potential new customer - Email contact - Telephone contact	- Identity - Contact	- Necessary for our legitimate interests
To register you as a new customer	- Identity - Contact	- Performance of a contract with you
To process our contract with you including: - Manage payments, fees and charges - Collect and recover money owed to us	- Identity - Contact - Financial - Transaction	- Performance of a contract with you - Necessary for our legitimate interests
To manage our relationship with you which will include: - Notifying you about changes to our terms or privacy policy - Consultation - Processing Matter - Contact with Courts and Authorities - Asking you to leave a review or take a survey	- Identity - Contact - Profile - Case specific data - Marketing and Communications	- Performance of a contract with you - Necessary to comply with a legal obligation - Necessary for our legitimate interests - For Case specific data with may contain Special Category data, UK GDPR Article 9 (b)
To enable you to partake in a prize draw, competition or	- Identity - Contact	- Performance of a contract with you

complete a survey		- Necessary for our legitimate interests (to study how customers use our products/services, to develop them and develop our business)
To administer and protect our business and this website which may include: - troubleshooting - data analysis - testing - system maintenance - support - reporting - hosting of data	- Identity - Contact	- Necessary for our legitimate interests - Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the information and marketing we deliver to you	- Identity - Contact	- Necessary for our legitimate interests
Recruitment, employment and employee management	- Identity - Contact - CV - Employee file which may contain special category data (such as health)	- Necessary for our legitimate interests - For special category data UK GDPR Article 9.2(b) Employment

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

6. DISCLOSURES OF YOUR PERSONAL DATA

We may share your personal data with the parties set out below for the purposes set out in the table [Purposes for which we will use your personal data] above, as well as the following:

- External Third Parties as set out in the Glossary.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

- We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We will not share or sell your personal data with any other third party for any additional purpose without your prior knowledge and consent.

7. THIRD PARTY LINKS

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

8. INTERNATIONAL TRANSFERS

We do not transfer your Personal Data outside of the European Economic Area (including the UK).

9. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

10. DATA RETENTION

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

11. GLOSSARY

LAWFUL BASIS

- **Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

- **Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- **Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

THIRD PARTIES (External Third Parties)

- Service providers acting as processors who provide IT and system administration services.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom.

12. YOUR LEGAL RIGHTS

You have rights under data protection laws in relation to your personal data. If you wish to exercise any of the rights set out above, please contact us. You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it. You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You

also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

13. DATA PROTECTION OFFICER

The contact details for our data protection officer are as follows:

By post: DataCo International UK Limited
Suite 1, 7th Floor
50 Broadway
London
United Kingdom
SW1H 0BL

By email: privacy@dataguard.co.uk

By phone: +442035146557

14. COMPLAINTS

If you are unhappy with any aspect of this privacy notice, or how your personal data is being processed, please contact our data protection officer.

If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

By post: Information Commissioner's Office
Wycliffe House
Water Lane

Wilmslow
Cheshire
SK9 5AF

By live chat: <https://ico.org.uk/global/contact-us/live-chat>

We keep our privacy policy under regular review. This version was last updated January 2024.