

## Terms and Privacy Policy

This is the terms and privacy policy of H C Solutions Limited t/a High Court Solutions. In this document, “we” or “us” refers to High Court Solutions.

We may change this policy from time to time by updating this page. You should check this page regularly to ensure that you are happy with any changes.

In accordance with the Data Protection Act 2018 and GDPR Regulations H C Solutions Ltd t/a High Court Solutions is registered with the Information Commissioners Office as the data controller under registration no Z3603724. Our nominated representative for the purposes of the DPA is David Brason.

This policy is effective from 25 May 2018

### **YOUR PRIVACY – OUR POLICY**

During the course of delivering our services we collect and only use personal information which is relevant and appropriate to the work we are instructed to undertake. All personal information is controlled, stored and processed in accordance with the General Data Protection Regulations [GDPR], whether it be in electronic form, [example:- all data stored on a computer system, including emails] or on paper or is recorded by other means.

High Court Solutions manage and process all personal information correctly and lawfully. We believe this to be a critical element to maintaining client and debtor confidence.

GDPR define personal information if any or all, of the following criteria apply:-

- Can a living person be identified from the data we hold?
- Does the data we hold “relate to” an identifiable living person, whether in their personal or family life, business or profession?
- Is the data we hold “obviously about” an identifiable living person?
- Is the data we hold “linked to” a living person so that it provides information about that person?
- Is the data we hold used to inform or influence actions or decisions affecting an identifiable living person?
- Does the data we hold have any biographical significance in relation to a living person
- Does the data concentrate on the individual as a central theme, rather than on some other individual, object, transaction or event?

- Does the data we hold impact, or have potential impact on a living person, whether in a professional, personal, or family capacity?

We adhere to the Criterion of Data Protection, as set out in the *General Data Protection Regulations [GDPR]*, which came into force on 25 May 2018.

High Court Solutions will ensure that all data is processed in a lawful manner and will ensure that we meet the obligations to specify the purpose of retaining personal information. Furthermore we will ensure that data collected is not excessive to the purpose for which it is collected. High Court Solutions will ensure that the accuracy of information used is adequate and is maintained, and will not retain data for longer than necessary. We will undertake audits to ensure data is not held for any longer than is necessary.

High Court Solutions will ensure that the rights of subjects about whom information is held are able to be wholly exercised under GDPR. Subject rights include the *right to be informed* that processing is being undertaken, the *right of access* to the information held, and the *right to prevent* processing in some circumstances, and the *right to correct*, rectify, block or erase data held. High Court Solutions will take appropriate technical measures to safeguard personal information and as an organisation ensure that measure are in place to safeguard all personal data we hold.

High Court Solutions ensures that all staff who handle or work with personal information wholly understand that they have a legal responsibility to adhere to GDPR, and are fully trained in good data protection practices. We will regularly review the way personal data is managed and processed, and evaluate processes used to ensure best practice and compliance.

High Court Solutions will ensure that personal data is not transferred abroad to any Country outside the European Economic Area that does not provide an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

High Court Solutions do not undertake automated decisions about personal data held and do not profile personal data.

## **GDPR Compliant Policy – Enforcement**

### **Data we collect and store:-**

High Court Solutions receive personal data from our instructing client usually relating to both a Defendant and Claimant to enable us to execute a High Court Writ, but also Landlord and Tenant, for example, Forfeiture of Lease.

The personal information we hold would normally consist of our instructing clients/Claimants name, address, telephone number, and email address, along with bank details and possibly the name of their employer. Dependent upon the type of instruction we receive, we hold the personal information in respect of a Defendant/Tenant/trace subject. This data includes a subjects' personal name, address, phone number and email address, and may include information such as previous known addresses and employment details/Directorships and

occasionally criminal convictions. We would also hold details of a debt or the premises or land to which a Court Judgment/Instruction refers. In addition, we occasionally receive information such as details regarding potential vulnerabilities a data subject may have. We also occasionally receive personal information from the data subject themselves, or an authorised representative of the data subject, such as evidence of vulnerability, income or health. Personal information supplied by a Debtor is treated as highly confidential and is not shared with any party without the express consent of a Debtor and is not retained by us for longer than is reasonably necessary.

## **What is the data used for:-**

We are regulated by the Ministry of Justice; authorised to execute High Court Writs. The information we store and process is crucial to enable us to enforce a High Court Writ and comply with the command of a High Court Writ. Administrative staff employed by High Court Solutions and Enforcement Agents acting on our behalf, act to enforce a Writ under the control of our Authorised High Court Enforcement Officer, who is authorised by the Lord Chancellor to enforce High Court Writs in accordance with the Courts Act 2003. The Information we store and process is also crucial to enable us to undertake a client instruction, for example in relation to Common Law Evictions, Forfeiture of Lease and Commercial rent Arrears Recovery under the laws of England and Wales.

Under the Taking Control of Goods Act 2013, our relevant staff and Enforcement Agents are trained to recognise and manage vulnerable Debtors. We are required to obtain information regarding vulnerability and inform the Creditor that a Debtor has been recognised as being vulnerable. This information could include details about a Debtors health. Our instructing client may advise us that a Debtor is known to be vulnerable and reveal details of this to us.

During the course of enforcement we are required to write to a Debtor by surface mail and may also undertake a personal visit upon a Debtor. We may also attempt to make contact with a Debtor via email or text message or telephone.

At no stage will we divulge to any third party, other than our GDPR compliant contracted Enforcement Agents, any personal data unless we are ordered to do so by the Courts. However we may have occasion to divulge personal data to the Police, HMRC, Insolvency Service or National Crime Agency. No information given to us by our clients, or obtained during the course of enforcement will be used for any other purpose.

On occasion a Debtor may feel aggrieved and will make a complaint to our regulatory body, the High Court Enforcement Officers Association [HCEOA]. In these circumstances the HCEOA often requires detailed and explicit information regarding the enforcement of the Writ; this information will only be supplied to the HCEOA with the express written permission of the data subject.

We are required to retain detailed information regarding the enforcement of a Writ for 6 years under the Courts Act 2003 and The Limitation Act 1980. We are not able to delete personal data stored for the purpose of enforcement.

At all stages of enforcement we will fully comply with General Data Protection Regulations 2018.

## **GDPR Compliant Policy – Tracing**

### **Data we collect and store:-**

We undertake subject traces on the written instruction of a client.

Information we may be provided with would include the name and last known address of a subject, along with telephone numbers and email addresses, but may also include a subject's date of birth or place of employment.

We utilise publicly available databases and Registries such as the Insolvency Register, Land Registry, and Companies House. We may also utilise social media and the internet in an effort to locate a subject.

At no stage will we divulge to a third party, other than our instructing client, any personal data we hold, however, at the instruction of our client, we do occasionally use a third party specialist trace company who are wholly GDPR compliant. We confirm that any subject data we hold will not be passed to a third party without our clients express consent.

### **What is the data used for:-**

The data is generally used to advise our client of a likely address for enforcement. Occasionally data is not obtained for our use, but may be gained for other purposes such as Probate or missing family members.

Under the Limitation Act 1980 we are required to retain this data for a period not exceeding 6 years. At the request of the trace subject, we will delete all personal data stored for the purpose of tracing.

We act as data processor for our clients and as such will ensure we fully comply with General Data Protection Regulations 2018.

## **GDPR Compliant Policy – Marketing & General Information**

### **Data we collect and store:-**

Our clients provide most of this information directly to us when they instruct us to act on their behalf in respect of enforcement or tracing.

We also receive written enquiries directly from our website.

We have a VOIP telephone system which may record conversations held with any persons who telephones us. Likewise we may occasionally record outgoing calls. Callers telephone numbers, where identified and not withheld, are retained on our systems.

By virtue of your instruction to us to undertake a service, you will be required to provide your personal data. You may, of course decline to provide data which is necessary to enable us to provide you with a service; however we may not be able to accept your instruction should you

choose not to provide your personal data.

The information we require from you is dependent upon the type of service you are requesting, therefore the information we collect could include the following:

1. Your name, postal address, telephone number and email address.
2. We occasionally collect demographic data, such as your profession, country or preferred language.
3. Your bank details for payment of successful collections. Sensitive data such as your credit card/Debit card details or pin number are not collected or stored by us. Payments are processed using the secure processing company KEYIVR Limited. That page may be dressed in our “livery” but is not controlled by us.
4. Contacts and Relationships: we may collect information you provide to us relating to your contacts and business relationships
5. Location data: Our on-line services may obtain imprecise location data such as your IP address.
6. Content: We may collect the content of any data files that you may send us together with paper documentation in accordance with the service you have instructed us to undertake. Data we may collect may include:
  - Email address, content of an email including the subject line and attachments.

### **What is the data used for:-**

We use the data we collect to enable us to operate our business and to be able to deliver the services requested. We use data to enable us to communicate effectively. We also use data to market the business and to deliver advertising of our services.

**Service delivery:** We use collected information to provide and improve the services we offer, and to undertake essential business operations. This includes monitoring, maintaining and improving of the services we provide, developing new services, undertaking research and providing specific advice to our clients. Examples of use are as follows:

- **Communications:** From time to time we may contact you, either by post, email or telephone to inform you of services you may be interested in using, or a presentation which may be of professional interest to you. You may be invited to attend a commercial event or participate in a survey. You can unsubscribe from our marketing emails at any time, or request we delete your contact details at any time.
- **Advertising:** We may use personal data, such as your email address or telephone number to advertise our services to you.

- **Data Retention:** For advertising and marketing we do not retain your data for longer than 24 months, unless you consent to retain your data for longer.

## **Your marketing choices:**

You may opt out of receiving marketing emails from us simply by un-subscribing using the link incorporated into all our marketing email communications. In such cases, opting out of marketing will not stop data from being collected or stored if you have instructed us to enforce a Writ or undertake any other enforcement under the laws of England and Wales.

## **Our use of cookies and similar technology:**

We use cookies and similar technologies for several purposes which include:

**Storing information you provide to our website:** When you provide information on our website, we store the data in the form of a cookie to remember the information you have added, for example using our online enquiry form.

**Social media:** Our websites includes social media cookies to enable those who are logged in to a social media services such as Facebook or LinkedIn to share content via that service.

**Feedback:** We may use cookies to enable you to provide us with feedback on our website

**Analytics:** We may use cookies and other technologies to gather performance data or usage date. We use this data to count the number of unique visitors to our web site, and also to develop other statistics about our services. This includes cookies from us and from third party analytics providers.

**Performance:** We use cookies to ensure our website remains functional.

We use very few cookies on our website [www.highcourtsolutions.co.uk](http://www.highcourtsolutions.co.uk) and have listed them below:

### **First party cookies: PHPSESSID**

as you browse around our website, a session cookie tells the website that you are the same person requesting the webpages, and not a new visitor to each page. This cookie does not identify you personally and is not linked to any other information we store about you. This cookie expires at the end of your session.

## **Third Party cookies:**

### **Google Analytics**

We use Google Analytics to monitor traffic levels and visits to our website. Google Analytics stores IP addresses anonymously on its servers in the USA and neither Google nor High Court Solutions associate your IP address with any personal information.

More information about Google's cookie policy can be found using the following link:

[www.google.com/intl/en/analytics/privacyoverview.html](http://www.google.com/intl/en/analytics/privacyoverview.html)

Third party cookies may also be used if we have hired the services of a third party to provide services on our behalf.

## How to control cookies:

Many web browsers automatically accept cookies but provide you with the option to block or delete them. However blocking cookies can have a negative impact upon the usability of some websites.

Certain features of our website depend upon cookies. Please be aware that if you choose to block cookies you may not be able to use certain features on our website.

You can opt out of data collection or use by some of these analytics providers by clicking the following links:

- Google Analytics: [www.tools.google.com/dlpage/gaoptout](http://www.tools.google.com/dlpage/gaoptout)
- Kissmetrics: [www.kissmetrics.com/user-privacy](http://www.kissmetrics.com/user-privacy)
- Web Trendt: [www.ondemand.webtrends.com/support/optout.asp](http://www.ondemand.webtrends.com/support/optout.asp)

## How to access & control your personal data:

GDPR states that a data subject has the right to obtain personal information stored by us. Any data subject can make a data request by contacting our Data Protection Officer who will supply the information in a secure manner and in an easily accessible format

You can submit a request to our Data Controller to view, edit or delete any personal data that we hold which is not held in relation to enforcement of a Writ or any other enforcement action under the laws of England and Wales. You may submit a request in writing, email or by using a Contact Us form located on our website [www.highcourtsolutions.co.uk](http://www.highcourtsolutions.co.uk) we will respond to any request to access or delete personal data within 28 days. Alternatively you may write to us at the address below:

High Court Solutions  
CWG House  
Gallamore Lane  
Market Rasen  
Lincolnshire  
LN8 3HA

### How to contact us:

Our Data Protection officer can be contacted by telephone on 0300 303 3220, by email at [admin@highcourtsolutions.co.uk](mailto:admin@highcourtsolutions.co.uk) or by post to High Court Solutions, CWG House, Gallamore Lane, Market Rasen, Lincolnshire LN8 3HA.

Our Data Protection Officer will ensure you receive a response within 30 days.