

KCA Privacy Policy

Last Updated: 15th May 2024 (and will be regularly reviewed and monitored, at least every three years)

Prepared by: Charlotte Cato, GDPR Lead for KCA

The purpose of this policy is to comply with the GDPR and to protect clients, staff and our organisation.

Who are we?

KCA are a labour market analyst and expert witness who are instructed by solicitors to prepare employment reports in legal cases. KCA act as the Data Controller, as an Expert Witness is independent from the solicitor and decides how the information is processed for their own purposes.

The personal information we collect and use:

The information we collect from instructing solicitors for claimants in legal cases includes:

- Name, address and contact details (including telephone number and email address)
- CV
- Date of Birth
- National Insurance Number
- Employer(s) details
- Pay details – payslips, P60s, HMRC documents, bank statements, invoices
- Medical documents
- Other documents as deemed necessary by the instructing solicitor to supply us with for an individual's legal case.

How we use the personal information:

This data is used in legal claims on the instruction of a solicitor and our legal basis for processing the personal data is for legitimate interest and the needs of the litigation.

Who we share the personal information with:

Claimant data is shared with the Court for the legal case it relates to. The Court has its own GDPR obligations and that once our report has been served it becomes a Court document.

It may be necessary as part of the legal process to enter discussions with other employment experts as directed by the Court to prepare a joint statement. In such cases any documents which are sent to experts' non-organisational email address will be password protected. We ensure all the experts we engage with have appropriate data protection measures in place and will ask them to sign an agreement to confirm they are GDPR compliant.

Data is also shared internally with staff who are working on the case. All employees at KCA comply with the privacy policy.

How long your personal data will be kept:

This is retained for the duration of our instructions in the legal matter and until we have been informed that the case has settled. We will then destroy (confidentially shred) the file and delete all documents relating to the case from our server.

Keeping personal data secure:

This personal information is kept within its own file and is not shared with any other person outside of the organisation except for the Court and instructing solicitor. The data is only used for the case in which it relates and in which we have been instructed to use it for.

There are appropriate security systems in place for our server as well as anti-virus protection. All computers in the office are password protected and we operate a closed office policy whereby there are no unaccompanied persons allowed in the office, as well as a locked screen policy.

All our data from the server is backed up and stored in a fully encrypted storage facility administered and protected by Zuriel IT Solutions. Zuriel IT Solutions have provided us with their GDPR Compliance document. The server is not able to be accessed outside of the office.

When data on a laptop is taken outside of the office this is protected with passwords. When hard copy files are taken outside the office for interviews, minimal papers are taken, and they are kept in a locked bag.

All staff have signed to agree to the terms of our privacy policy and adhere to strict data protection rules for not sharing data and only using it for the matter in which we are instructed to do so by instructing solicitor.

Any data breaches are to be reported immediately by staff members to the data lead, Charlotte Cato.

Your rights:

Under the GDPR you have a number of rights which you can access free of charge which allow you to:

- Know what we are doing with your information and why we are doing it
- Ask to see what information we hold about you
- Ask us to correct any mistakes in the information we hold about you
- Object to direct marketing
- Make a complaint to the Information Commissioners Office

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioners Office (ICO) on individuals' rights under the General Data Protection Regulation.

Who to contact:

Please contact Charlotte Cato, the data protection lead for KCA at c.cato@keithcarter.co.uk for further information about the information we have collected.