



**DATA RETENTION
POLICY**

This Data Retention Policy forms part of Stone Rowe Brewer’s overall Data Protection and Information Management and Security Policy as embedded in the Firm’s Quality Procedures Manual and it should be read and considered in that context. Cross reference should also be made to the firm’s Privacy Notice. This Policy has been revised by reference to the Data Protection Act 2018 and the AML Regulations 2017. The Policy has also been reviewed at annual AQRs and by the Data Protection Officer in October 2024.

<p>General Policy</p>	<p>The Firm’s general policy as to retention of data is that data will not be retained beyond the time when it is necessary to do so but will take into account any ongoing business relationship with its clients. For the reasons set out in this Policy, the Firm’s specific policy is to retain files and documents (including AML data) without a time limit for deletion, provided that the client has so consented to that storage. The Firm’s Terms of Business make provision for such consent and make it clear that a client can request that their file and papers are deleted at any point.</p>
<p>Legal obligations</p>	<p>Section 40 of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (“the AML Regulations 2017”) provides that AML data must be retained for 5 years after the end of a transaction or business relationship but can be deleted after 10 years after the end of a business relationship in any event.</p>
<p>Considerations</p>	<p>Unless a client specifically requests the erasure of data or requests to be forgotten, the</p>

Considerations (continued)	following considerations will be taken into account: <ul style="list-style-type: none">• Case documents may be relevant to an appeal out of time.• File documents can be used as precedents.• Data on file is specifically retained for legal purposes and the provision of legal services only• Data and documents are of significant value and benefit to the data subject within subsequent matters, cases and transactions• Repeat business and recurring clients is part of the firm's ethos and can be regarded as an ongoing business relationship, justifying the retention of data, including AML data.• With the majority of clients and contacts, there is the expectation that the firm, as their solicitors, will retain data on the basis that it benefits clients that data relating to their transactions and matters are stored securely. Those clients who do not share that expectation can request erasure of data.• Case documents may contain the results of research into the law, which may be relevant to a current case.• Instructions, facts or expert opinions in a previous case may be relevant to a current case involving the same clients.• Correspondence or instructions contain contact details which may be useful.
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	<ul style="list-style-type: none">• File documents or records may be important when carrying out a conflict search.• Case documents have to be retained in the event that a complaint is made against a solicitor, or a solicitor makes a claim against his or her insurers. The firm's insurers regard a period of 15 years as being reasonable for that purpose.• In the context of a law firm, experience identifies that most clients prefer the retention of their data to provide a smooth transition between one matter and another-for example, clients' Wills or copies of their Wills are stored until required or relevant again, in family matters historic documents and court orders are vital data quite likely to be required at a later time, in conveyancing matters, many documents are often relevant and required in future transactions.• We have developed a policy which has the intention of striking a balance between our legal obligations (such as our obligation to retain Anti-Money Laundering data for at least 5 years) and operational efficiency, as well as retention of data which is reasonable and appropriate in the circumstances bearing in mind our business relationship with our clients. Document retention is also justified to evidence events or agreements in the case of disputes, and also to preserve information which has historic value and for the benefit of our clients. We will ask you for consent to us retaining your data on that basis.• Periodic review of this policy (including at the Annual Quality Reviews in September 2021 and October 2024) has established the importance of the retention of sensitive data (including bank account details and e-mail
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<p>Storage Policy</p>	<p>addresses) in order to avoid and/or mitigate the possibility of contributing to fraudulent activity</p> <p>The Firm's policy as to storing data securely includes:</p> <ul style="list-style-type: none">• In cases when data is stored on printed paper, it should be filed promptly and kept in a secure place where unauthorised personnel cannot access it• Printed data should be shredded when it is no longer needed• Data stored on a computer should be protected by strong passwords• Data is not generally stored on CDs or memory sticks but if it is then they should be locked away securely when they are not being used• The DPO must approve any cloud used to store data• Our servers containing personal data are kept in a secure location, away from general office space• Data should be regularly backed up in line with the Firm's backup procedures• Data should never be saved directly to mobile devices such as laptops, tablets or smartphones• All servers containing sensitive data must be approved and protected by security software and a strong firewall• At the conclusion of files/matters, the Firm's archiving policy is to store information securely on its intranet and in that regard such information and data is encrypted. <p>Duties as a Law Firm</p> <p>We must retain personal data for no longer than is necessary. What is</p>
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<p>Special Category Data</p>	<p>necessary will depend on the circumstances of each case, taking into account the reasons that the personal data was obtained and what can be regarded as an ongoing business relationship with many if not most clients and contacts. Whilst as a Law Firm we have a general duty to retain data for a period of 7 years (6 years in relation to potential claims + 1 year) and in various types of transactions, such as personal injury or clinical negligence cases involving children or in family or matrimonial matters, the retention period may be longer of necessity, the Firm's general policy as to retention of data is that data will not be retained beyond the time when it is necessary to do so but will take into account any ongoing business relationship with its clients. For the reasons set out in this Policy, the Firm's specific policy is to retain files and documents (including AML data) without a time limit for deletion, provided that the client has so consented to that storage. The Firm's Terms of Business make provision for such consent and make it clear that a client can request that their file and papers is deleted at any point.</p> <p>As identified above (Page 2), periodic review of this policy has prompted a change in policy in relation to the retention of bank account and other personal details as an essential component in resisting fraudulent activity.</p> <p>Furthermore, pursuant to the latest money laundering regulations, we have a specific duty to retain all data and documentation relating to our compliance with those regulations for a minimum period of 5 years.</p> <p>The Firm's policy is that, except in certain circumstances, special</p>
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	<p>category data (but not AML data) will be deleted and/or destroyed at the point of archiving the data subject's file or matter after the conclusion of the transaction in question. Examples of the certain circumstances when special category data may be retained for longer are:</p> <ul style="list-style-type: none">• In litigation matters where an appeal out of time may be a possibility• In legal matters relating to children where it may be necessary to re-open or re-visit the matter at a later date• In Trust or tax matters• Will retention• Administration of Estates• Family matters where applications, court orders are re-visited/re-opened• When ID documents are retained with the consent of the data subject for use within an associated or subsequent matter• When bank account and other personal/sensitive data is retained within the firm's intranet in the interests of resisting fraudulent activity• AML data retained for a minimum 5 year period. <p>The policy is to archive all files and matters as quickly as possible after the conclusion of the transaction but within 6 months in any event which allows a reasonable period for queries, complaints or claims in the aftermath of the matter. The policy is to archive files to the firm's intranet which is secure and with the benefit that personal/sensitive data is securely stored.</p> <p>Accordingly, the firm's policy aims at striking a balance between the view</p>
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	<p>indeed the firm’s clients by retaining data which allows the firm to check ID and bank details and the like and ward off potential fraudulent activity.</p> <p>The firm does rely upon the express consent of its clients in relation to retention of data and also relies upon retention in accordance with legitimate and reasonable business purposes and the basis that there is, in fact, an ongoing business relationship which mitigates against fraudulent activity.</p>
<p>Procedure for deleting Data and Files</p>	<p>The firm’s procedure for deleting files and data is as follows:</p> <ul style="list-style-type: none"> • If the firm receives a specific request from a client or other subject requesting erasure of data then such data will be immediately deleted from all physical and electronic files and systems, including the firm’s intranet storage system • If a client or other subject makes clear that they do not wish the firm to retain AML data beyond the requisite 5 year period then such data and the file pertaining to the same will be deleted at the end of that period, to include deletion from the firm’s intranet • If it is clear or if a client or subject makes clear that there is no ongoing business relationship present or envisaged then all AML data and the rest of the file (if not already deleted) will be deleted after the 5 year period referred to above • A record will be retained of files/data deleted in accordance with this procedure.