

GDPR Data Protection Privacy Notice

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

Who we are

BWTLAW LLP collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (Including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws.

The personal information we collect and use

Information collected by us

In the course of advising and/or acting for you we will collect the following personal information when you provide it to us:

- Your name, address and telephone number;
- Information to enable us to check and verify your identity, e.g. your date of birth or passport details;
- Electronic contact details, e.g. your email address and mobile phone number.
- Information relating to the matter in which you are seeking our advice or representation.

In the course of advising and/or acting for you we may collect the following personal information depending on why you have instructed us:

- Information to enable us to undertake a credit or other financial checks on you;
- Your financial details so far as relevant to your instructions, e.g. the source of your funds if you are instructing on a purchase transaction;
- Your National Insurance and tax details;
- Your bank and/or building society details;
- Details of your professional online presence, e.g. LinkedIn profile;
- Details of your spouse/partner and dependants or other family members, e.g. if you instruct us on a family matter or a will;
- Your employment status and details including salary and benefits, e.g. if you instruct us on matter related to your employment or in which your employment status or income is relevant;
- Details of your pension arrangements, e.g. if you instruct us on a pension matter or in relation to financial arrangements following breakdown of a relationship;
- Your employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances (including relevant special category personal data), e.g. if you instruct us on

matter related to your employment or in which your employment records are relevant;

- Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs, e.g. if you instruct us on discrimination claim;
- Your trade union membership, e.g. if you instruct us on discrimination claim or your matter is funded by a trade union;
- Personal identifying Information, such as your hair or eye colour or your parents' names, e.g. if you instruct us to incorporate a company for you.

This personal data is required to enable us to provide our service to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

Information collected from other sources

We collect most of this information from you direct. However, we may also collect information:

- From publicly accessible sources, e.g. Companies House or HM Land Registry;
- Directly from a third party, e.g. sanctions screening providers, credit reference agencies, client due diligence providers;
- From a third party with your consent, e.g.
 - your bank or building society, another financial institution or advisor;
 - consultants and other professionals we may engage in relation to your matter;
 - your employer and/or trade union, professional body or pension administrators;
 - your doctors, medical and occupational health professionals.
- Via our information technology (IT) systems, e.g. case management, document management and time recording systems, reception logs, automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems.

How and why we use your personal information

Under data protection law, we can only use your personal data if we have a proper reason for doing so. A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

We will use (process) your personal data:

1. For the performance of our contract with you or to take steps at your request before entering into a contract:
 - I. to provide legal services to you;
 - II. updating and enhancing your records;
 - III. to trace your whereabouts to contact you about your matter and recovering debt.

2. To comply with our legal and regulatory obligations:
 - I. conducting checks to identify you and verify your identity;
 - II. screening for financial and other sanctions or embargoes;
 - III. updating and enhancing your records;
 - IV. statutory returns;
 - V. ensuring safe working practices, staff administration and assessments;
 - VI. ensuring the confidentiality of commercially sensitive information;
 - VII. other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health and safety regulations or relating to quality checks, audits, enquiries or investigations by regulatory bodies or rules issued by our professional regulator.

3. For our legitimate interests or those of a third party:
 - I. ensuring business policies are adhered to, e.g. policies covering security and internet use;
 - II. operational reasons, such as improving efficiency, training and quality control;
 - III. ensuring the confidentiality of commercially sensitive information;
 - IV. statistical analysis to help us manage our practice, e.g. in relation to our financial performance, client base, work type or other efficiency measures;
 - V. updating and enhancing your records;
 - VI. preventing unauthorised access and modifications to systems;
 - VII. marketing our services to existing and former clients.

4. Where you have given consent:

The above does not apply to special category personal data, which we will only process with your explicit consent. Special category personal data includes personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership, genetic and biometric data, data concerning health, sex life or sexual orientation.

Who we share your personal information with

We routinely share personal data with:

- Professional advisers who we instruct on your behalf or refer you to, e.g. barristers, medical professionals, accountants, tax advisors or other experts;
- Other third parties where necessary to carry out your instructions, e.g. your mortgage provider or HM Land Registry in the case of a property transaction or Companies House;
- Courts, to comply with legal requirements, and for the administration of justice;
- Credit reference agencies;
- Our insurers and brokers;
- External auditors, e.g. in relation to ISO and the audit of our accounts;
- Our bank;
- External service suppliers, representatives and agents that we use to make our business more efficient, e.g. typing services, marketing agencies.

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers to ensure they can only use your personal data to provide services to us and to you.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

We will share personal information with law enforcement or other authorities if required by applicable law.

We will not share your personal data with any other third party.

Promotional communications

We may use your personal data to send you updates (by email, text message, telephone or post) about legal developments that might be of interest to you and/or information about our services.

We have a legitimate interest in processing your personal data for promotional purposes (see above "How and why we use your personal Information"). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your personal data with the utmost respect and never sell or share it with other organisations outside BWTLAW LLP for marketing purposes.

Whether information has to be provided by you, and if so why

We will inform you at the point of collecting information from you, whether you are required to provide the information to us.

How long your personal information will be kept

We will keep your personal data after we have finished advising or acting for you. We will do so for one of these reasons:

- To respond to any questions, complaints or claims made by you or on your behalf;
- To show that we treated you fairly;
- To keep records required by law.

We will not retain your data for longer than necessary for the purposes set out in this notice. Different retention periods apply for different types of data. When it is no longer necessary to retain your personal data, we will delete or anonymise it.

Transfer of your information out of the EEA

To deliver services to you, it is sometimes necessary for us to share your personal data outside the European Economic Area (EEA), e.g.

- With your and our service providers located outside the EEA;
- If you are based outside the EEA;
- Where there is an international dimension to the matter in which we are advising you.

These transfers are subject to special rules under European and UK data protection law. If you would like further information please contact us (see 'How to contact us' below).

Your rights

Under the General Data Protection Regulation you have a number of important rights free of charge. In summary, those include:

- The right to be provided with a copy of your personal data (the right of access);
- The right to require us to correct any mistakes in your personal data (the right of rectification);
- The right to require us to delete your personal data in certain situations (the right to be forgotten);
- The right to require us to restrict processing of your personal data in certain circumstances, (the right to restrict processing);
- The right to move, copy or transfer your personal data (the right of data portability);
- The right to object to processing of your personal data;
- The right to object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you (the right not to be subject to automated individual decision-making).

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office (ICO) on Individuals' rights under the General Data Protection Regulation.

If you would like to exercise any of those rights, please:

- Email, call or write to us;
- Let us have enough information to identify you;
- Let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill);
- Let us know the information to which your request relates.

If you would like to unsubscribe from any email newsletter you can also click on the 'unsubscribe' button at the bottom of the email newsletter.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

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

How to complain

We hope that we can resolve any query or concern you raise about our use of your information.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: [0303 123 1113].

Changes to this privacy notice

This privacy notice was published on 1 December 2018. We may change this privacy notice from time to time.

How to contact us

Please contact us if you have any questions about this privacy notice or the information we hold about you. Our contact details are:

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| BWTLAW LLP | 6 South Street, Epsom, Surrey, KT18 7PF |
| Telephone: | 01372 725655 |
| Email: | <u>contact@bwtlaw.co.uk</u> |