

## CLIENT PRIVACY NOTICE

We take your privacy very seriously. Please read this privacy notice carefully as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

We collect, use and are responsible for certain personal data about you. When we do so we are subject to the UK General Data Protection Regulation (UK GDPR).

### 1. KEY TERMS

It would be helpful to start by explaining some key terms used in this notice:

We, us, our	Lanyon Bowdler LLP
Our Managing Partner	Brian Evans
Personal data	Any information relating to an identified or identifiable individual
Special category personal data	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

### 2. PERSONAL DATA WE COLLECT ABOUT YOU

The table below sets out the personal data we will or may collect in the course of advising and/or acting for you.

Personal data we will collect	Personal data we may collect depending on why you have instructed us
Your name, address and telephone number  Information to enable us to check and verify your identity,	Your National Insurance and tax details  Your bank and/or building society details

Personal data we will collect	Personal data we may collect depending on why you have instructed us
<p>e.g. your date of birth or passport details</p> <p>Electronic contact details, e.g. your email address and mobile phone number</p> <p>Information relating to the matter in which you are seeking our advice or representation</p> <p>Information to enable us to undertake credit or other financial checks on you</p> <p>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</p> <p>Information about your use of our IT, communication and other systems, and other monitoring information</p>	<p>Details of your professional online presence/social media, e.g. LinkedIn profile, Facebook profile</p> <p>Details of your spouse/partner and dependants or other family members, e.g. if you instruct us on a family matter or a will</p> <p>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</p> <p>Your nationality and immigration status and information from related documents, such as your passport or other identification, and immigration information</p> <p>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</p> <p>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</p> <p>Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs, e.g. if you instruct us on discrimination claim</p> <p>Your trade union membership, e.g. if you instruct us on discrimination claim or your matter is funded by a trade union</p> <p>Your medical records, e.g. if we are acting for you in a personal injury claim</p> <p>Criminal records and details of criminal offences, e.g. if you instruct us in a criminal matter.</p>

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.

### **3. HOW YOUR PERSONAL DATA IS COLLECTED**

We collect most of this information from you. 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 you or 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 website—we use cookies on our website (for more information on cookies, please see our website privacy notice)
- via our information technology (IT) systems, e.g.:
  - case management, document management and time recording systems;
  - email and other messaging systems.

### **4. HOW AND WHY WE USE YOUR PERSONAL DATA**

Under data protection law, we can only use your personal data if we have a proper reason for doing so, e.g.:

- to comply with our legal and regulatory obligations;
- for the performance of our contract with you or to take steps at your request before entering into a contract;
- for our legitimate interests or those of a third party; or
- where you have given consent.

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.

The table below explains what we use (process) your personal data for and our reasons for doing so:

<b>What we use your personal data for</b>	<b>Our reasons</b>
To provide legal services to you	For the performance of our contract with you or to take steps at your request before entering into a contract
<p>Conducting checks to identify our clients and verify their identity</p> <p>Screening for financial and other sanctions or embargoes</p> <p>Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health and safety regulation or rules issued by our professional regulator</p>	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies or to enable us to make reports that we are required to make by law or our professional regulator	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, e.g. policies covering security and internet use	For our legitimate interests or those of a third party, i.e. to make sure we are following our own internal procedures so we can deliver the best service to you
Operational reasons, such as improving efficiency, training and quality control, including external quality audits	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you.

What we use your personal data for	Our reasons
Ensuring the confidentiality of commercially sensitive information	<p>For our legitimate interests or those of a third party i.e. to protect our intellectual property and other commercially valuable information</p> <p>To comply with our legal and regulatory obligations</p>
Statistical analysis to help us manage our practice, e.g. in relation to our financial performance, client base, work type or other efficiency measures	<p>For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you</p>
Preventing unauthorised access and modifications to systems	<p>For our legitimate interests or those of a third party, i.e. to prevent and detect criminal activity that could be damaging for us and for you</p> <p>To comply with our legal and regulatory obligations</p>
Updating client records	<p>For the performance of our contract with you or to take steps at your request before entering into a contract</p> <p>To comply with our legal and regulatory obligations</p> <p>For our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our clients about existing and new services</p>
Statutory/regulatory returns	<p>To comply with our legal and regulatory obligations</p>

What we use your personal data for	Our reasons
Ensuring safe working practices, staff administration and assessments	<p>To comply with our legal and regulatory obligations</p> <p>For our legitimate interests or those of a third party, e.g. to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you</p>
Marketing our services to existing and former clients;	<p>For our legitimate interests or those of a third party, i.e. to promote our business to existing and former clients</p>
Insolvency checks and adverse financial information checks	<p>For the performance of our contract with you or to take steps at your request before entering into a contract</p> <p>To comply with our legal and regulatory obligations</p> <p>For our legitimate interests or a those of a third party, i.e. for credit control</p>
External audits and quality checks, e.g. for Lexcel, APIL, or NFU accreditation/approval and the audit of our accounts	<p>For our legitimate interests or those of a third party, i.e. to maintain our accreditations so we can demonstrate we operate at the highest standards</p> <p>To comply with our legal and regulatory obligations</p>
Complaints handling and dealing with claims against us	<p>For our legitimate interests or those of a third party i.e. to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you, and to report to our professional indemnity insurers</p>

What we use your personal data for	Our reasons
Due diligence relating to the sale or transfer of all or part of our business, or the acquisition of us by another business (subject to a confidentiality agreement being in place)	For our legitimate interests or those of a third party i.e. to enable us to evidence our systems and the quality of our work in relation to any sale/transfer of business

We will only process special category personal data, where it is necessary for the establishment, exercise or defence of legal claims, or with your explicit consent.

## 5. 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, including exclusive offers, promotions or new services.

We have a legitimate interest in processing your personal data for promotional purposes (see above '**How and why we use your personal data**'). 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 share it with other organisations for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by contacting our Marketing Director, Amanda Jones at Lanyon Bowdler, Chapter House North, Abbey Lawn, Shrewsbury, SY2 5DE ([amanda.jones@lblaw.co.uk](mailto:amanda.jones@lblaw.co.uk)).

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

## 6. WHO WE SHARE YOUR PERSONAL DATA 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;
- your litigation friend, deputy or attorney (if you have one)
- identity verification and credit reference agencies;
- Certainty, the national will register;
- our insurers and brokers;

- providers of funding for your case e.g. legal expenses insurers, or providers of disbursement loans;
- external auditors, e.g. in relation to Lexcel, Legal Aid Agency or APIL accreditation, or our NFU legal panel membership and the audit of our accounts or your accounts;
- our banks;
- external service providers that we use to make our business more efficient, or to help us provide or promote our services e.g. cloud storage providers, archive storage providers, mailing houses for direct mail campaigns, self-employed consultants engaged by us to provide specialist advice or services, telephone and broadband suppliers, P.R. consultants (with your consent)

Where we use a third party to verify and validate your identity, or perform credit checks, or you seek a disbursement funding loan, this will leave a soft footprint on your credit file. The check does not leave a hard footprint and does not affect your credit rating. We will only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We will 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 may also need to share some personal data with other parties, such as potential buyers of some or all of our business or during a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

## **7. WHERE YOUR PERSONAL DATA IS HELD**

Information may be held at our offices and those of our service providers, representatives and agents as described above (see '**Who we share your personal data with**').

Some of these third parties may be based outside the UK. For more information, including on how we safeguard your personal data when this occurs, see below: '**Transferring your personal data out of the UK**'.

## **8. HOW LONG YOUR PERSONAL DATA 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 check for conflicts of interest in future;



- for statistical analysis and to help us manage our practice, e.g. in relation to our financial performance, client base, work type or other efficiency or client satisfaction measures
- 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. Further details on this are available in our Data Retention Schedule which is available on request.

When it is no longer necessary to retain your personal data, we will delete or anonymise it or restrict access to it.

## **9. TRANSFERRING YOUR PERSONAL DATA OUT OF THE UK**

To deliver services to you, it may sometimes be necessary for us to share your personal data outside the UK, e.g.:

- with your and our service providers located outside the UK;
- if you are based outside the UK;
- where there is an international dimension to the matter in which we are advising you.

Under data protection law, we can only transfer your personal data to a country or international organisation outside the UK where:

1. the UK government has decided the particular country or international organisation ensures an adequate level of protection of personal data (known as an 'adequacy decision');
2. there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for data subjects; or
3. a specific exception applies under data protection law

These are explained below.

### **9.1 Adequacy decision**

We may transfer your personal data to certain countries, on the basis of an adequacy decision. These include:

1. all European Union countries, plus Iceland, Liechtenstein and Norway (collectively known as the 'EEA');
2. Gibraltar; and
3. Andorra, Argentina, Canada, Faroe Islands, Guernsey, Israel, Isle of Man, Japan, Jersey, New Zealand, Switzerland and Uruguay.

The list of countries that benefit from adequacy decisions will change from time to time. We will always seek to rely on an adequacy decision, where one exists.

Other countries or international organisations we are likely to transfer personal data to do not have the benefit of an adequacy decision. This does not necessarily mean they provide poor protection for personal data, but we must look at alternative grounds for transferring the personal data, such as ensuring appropriate safeguards are in place or relying on an exception, as explained below.

## 9.2 Transfers with appropriate safeguards

Where there is no adequacy decision, we may transfer your personal data to another country or international organisation if we are satisfied the transfer complies with data protection law, appropriate safeguards are in place, and enforceable rights and effective legal remedies are available for data subjects. The safeguards will usually include using legally-approved standard data protection contract clauses. In relation to transfers between offices or other companies within a group, the safeguards may instead include legally binding rules and policies (known as binding corporate rules), which have been approved by the UK data protection regulator.

## 9.3 Transfers under an exception

In the absence of an adequacy decision or appropriate safeguards, we may transfer personal data to a third country or international organisation where an exception applies under data protection law, e.g.:

1. you have explicitly consented to the proposed transfer after having been informed of the possible risks;
2. the transfer is necessary for the performance of a contract between us or to take pre-contract measures at your request;
3. the transfer is necessary for a contract in your interests, between us and another person; or
4. the transfer is necessary to establish, exercise or defend legal claims

We may also transfer information for the purpose of our compelling legitimate interests, so long as those interests are not overridden by your interests, rights and freedoms. Specific conditions apply to such transfers and we will provide relevant information if and when we seek to transfer your personal data on this ground.

## 10. YOUR RIGHTS

You have the following rights, which you can exercise free of charge:

Access	The right to be provided with a copy of your personal data
Rectification	The right to require us to correct any mistakes in your personal data. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.
To be forgotten	The right to require us to delete your personal data—in certain situations
Restriction of processing	The right to require us to restrict processing of your personal data—in certain circumstances, e.g. if you contest the accuracy of the data
Data portability	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
To object	The right to object:  —at any time to your personal data being processed for direct marketing (including profiling);  —in certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests.
Not to be subject to automated individual decision-making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you

For further information on each of those rights, including the circumstances in which they apply, please contact us or review the guide available here: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

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

- email, call or write to our Managing Partner—see below: ‘**How to contact us**’; and
- let us have enough information to identify you (including your full name and address and where possible your matter reference number)
- 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); and
- let us know what right you want to exercise and the information to which your request relates.

## **11. KEEPING YOUR PERSONAL DATA SECURE**

We have appropriate security measures to prevent personal data from being accidentally lost, or used or accessed unlawfully. 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.

## **12. HOW TO COMPLAIN**

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

You also have the right to lodge a complaint with the Information Commissioner. The Information Commissioner may be contacted at <https://ico.org.uk/make-a-complaint> or by telephone: 0303 123 1113.

## **13. CHANGES TO THIS PRIVACY NOTICE**

We may change this privacy notice from time to time, when we do we will publish any revised notice on our website.

## **14. HOW TO CONTACT US**

Please contact the person dealing with your matter, or our Managing Partner by post, email or telephone if you have any questions about this privacy notice or the information we hold about you.

Our Managing Partner's contact details are shown below:

Managing Partner:	Brian Evans
Address:	Lanyon Bowdler LLP, Chapter House North, Abbey Lawn, Shrewsbury, SY2 5DE
Email:	<a href="mailto:brian.evans@lblaw.co.uk">brian.evans@lblaw.co.uk</a>
Telephone:	01743 280280