ASHFORDS PRIVACY NOTICE TO CLIENTS

We take your privacy very seriously. Please read this privacy notice carefully. It contains important information on who we are and how and why we collect, store, use and share your Client 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.

When we use Client Personal Data we are regulated by Data Protection Legislation and we are responsible as a 'controller' of that Client Personal Data for the purposes of Data Protection Legislation. Our use of Client Personal Data is subject to your instructions, the GDPR, other relevant UK and EU legislation and our professional duty of confidentiality.

Please note the definitions of the key terms referred to in this privacy notice are set out at the end.

Personal information we collect about you

The table below sets out the categories of your Client Personal Data we will or may collect in the course of advising and/or acting for you

Categories of Personal Data we will always collect	Categories of Personal Data we may collect depending on why you have instructed us
• Name, address, and telephone number • Information to enable us to check and verify your identity, which may include your date of birth, passport details, drivers licence details, and/or utility bills • Electronic contact details, which may include	• Your National Insurance and tax details • Your bank and/or building society details, for example if you are instructing us on a sale transaction. • Financial details so far as relevant to your instructions, for example, the source of your

email address and mobile phone number • Information relating to the matter in which you are seeking our advice or representation • Information to enable us to undertake a credit or other financial checks on you or your business. • Financial details in relation to monies you send to us or we send to you. Information about your use of our IT, communication and other systems, and other monitoring information • Client Personal Data which is necessary for the matter you are instructing us on	funds if you are instructing us on a purchase transaction • Details of your professional online presence, which may include LinkedIn profile, Companies House information, and other publicly available resources • Details of your spouse/partner and dependants or other family members/beneficiaries of your estate • Your employment status and details including salary and benefits • Your nationality and/or immigration status and information from related documents, such as passport or other identification, and immigration information • Details of your pension arrangements • Your employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances (including relevant Special Category Personal Data) if required for the matter on which you are instructing us • Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs if required for the matter on which you are instructing us • Your trade union membership if required for the matter on which you are instructing us • Your medical records if required for the matter on which you are instructing us • Personal Data about your directorships and shareholdings • Personal Data contained in evidence and statements made in contentious matters • Personal Data relating to disputes with employees or third party Data Subjects • Health records of individuals injured at work • Social welfare reports produced in family matters • Contact details of your employees so that we

	can communicate with them in relation to your instructions • Personal Data of your employees, customers, suppliers or service providers

These categories of Personal Data are required to enable us to provide our service to you. If you do not provide such Personal Data , it may delay, or prevent, us from providing services to you.

How we collect your personal information

Most of the Client Personal Data that we use in the matters that you instruct us on will be either provided to us by you or created by us during the course of the matter.

We may also collect Client Personal Data:

- from publicly accessible sources, such as websites and Companies House or HM Land Registry;
- directly from third parties such as:
- sanctions screening providers;
- credit reference agencies;
- client due diligence providers;
- local authorities;
- the Police;
- corporate service providers;
- financial institutions or advisors;
- consultants and other professionals we may engage, or work with, or be on the other side in relation to your matter e.g. barristers, other solicitors, , experts, HR consultants, valuers;
- witnesses;
- where you have instructed us to do so (in your personal capacity), from:
- your bank, building society or other financial institution;
- 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 cookies policy https://www.ashfords.co.uk/policies-terms-and-conditions/cookie-policy)
- via our information technology (IT) systems,
- case management, document management and time recording systems;
- door entry systems and reception logs;
- automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, email and instant messaging systems;

How and why we use your Personal Data

Under data protection law, we can only use Personal Data if we have a proper legal basis for doing so. For example:

- to comply with our legal 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, so long as this is not overridden by your own rights and interests; or
- where you have given consent.

Generally we do not rely on consent as a legal basis for processing your personal data. Where we do require consent, we will ask for that separately and clearly, and you have the right to withdraw consent at any time by contacting us.

The table below explains the purposes for which we process your Personal Data ("Purpose") and the applicable legal basis for each Purpose:

The purpose for which we use your Personal Data	Legal Basis
To provide our services to you	For the performance of our contract with you or to take steps at your request before entering into a contract with you
Conducting checks to identify our clients and verify their identity Screening for financial and other sanctions or embargoes Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, for example, under health and safety regulation or rules issued by our professional regulator the SRA.	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal and regulatory obligations
Ensuring our business policies are adhered to, including policies covering security and internet use	For our legitimate interests or those of a third party, (namely 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 and client service, the clarity and usefulness of communications with clients, training and quality control	For our legitimate interests or those of a third party, (namely to be as efficient and effective as we can so we can deliver the best service for you)

Ensuring the confidentiality of confidential information	For our legitimate interests or those of a third party, (namely to protect our intellectual property and other commercially valuable information) To comply with our legal and regulatory obligations
Statistical analysis to help us manage our practice, including our financial performance, client base, work type or other efficiency measure	For our legitimate interests or those of a third party, (namely to be as efficient as we can so we can deliver the best service for you)
Preventing unauthorised access and modifications to systems	For our legitimate interests or those of a third party, (namely, to prevent and detect criminal activity that could be damaging for us and for you) To comply with our legal and regulatory obligations
Updating client records	For the performance of our contract with you or to take steps at your request before entering into a contract To comply with our legal and regulatory obligations For our legitimate interests or those of a third party, (namely, making sure that we can keep in touch with our clients about existing and new services)
Statutory returns	To comply with our legal and regulatory obligations
Ensuring safe working practices, staff administration and assessments	To comply with our legal and regulatory obligations For our legitimate interests or those of a third party, (namely, to make sure we are following our own internal procedures and working efficiently and safely so we can deliver the best service to you)
Marketing our services, knowledge and events to existing and former clients	For our legitimate interests or those of a third party, (namely, to promote our business to existing and former clients) Your consent
To conduct credit reference checks via external credit reference agencies; To get paid for the services we carry out for you	For our legitimate interests or a those of a third party, (namely, to ensure your commercial viability and that we are paid in respect of the matter on which you have instructed us)

External audits and quality checks, such as Lexcel, ISO or Investors in People accreditation and the audit of our accounts	For our legitimate interests or a those of a third party, (namely, to maintain/obtain accreditations so we can demonstrate we operate at the highest standards) To comply with our legal and regulatory obligations

The above table does not apply to Special Category Personal Data or information relating to criminal convictions or criminal records. Unless we tell you otherwise we shall not process Special Category Personal Data or information relating to criminal convictions or criminal records.

To the extent that it is necessary for us to process Special Category Personal Data, we will process it in accordance with applicable Data Protection Legislation. Typically, this will be where the processing is necessary for performing our contract with you and for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity. On occasion we may need to obtain your explicit consent, or (in the case of another Data Subject's Special Category Personal Data) require you to obtain the Data Subject's explicit consent, before we can process that Special Category Personal Data. If we do seek and obtain your (or another Data Subject's) explicit consent, you/they can withdraw it at any time, without affecting the lawfulness of processing based on your/their consent before its withdrawal.

We may only process information relating to criminal convictions or criminal records etc in accordance with the applicable Data Protection Legislation. Typically, this will be where the processing is necessary for performing our contract with you and necessary for the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings), for the purpose of obtaining legal advice, or is otherwise necessary for the purposes of establishing, exercising or defending legal rights, or whenever a court or tribunal is acting in its judicial capacity, or where you have already made the information public. On occasion, we may need to obtain your explicit consent, or (in the case of another Data Subject) require you to obtain the Data Subject's explicit consent before we can process information relating to criminal convictions etc.

Promotional communications

We will always treat your Personal Data with the utmost respect and never sell or share it with other organisations for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by:

- contacting us by emailing comms@ashfords.co.uk
- using the ‘unsubscribe’ link in emails or ‘STOP’ number in texts
- updating your marketing preferences on our website https://www.ashfords.co.uk/unsubscribe

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.

Who we share your personal information with

We routinely share Client Personal Data with:

- our staff and members;
- our subsidiaries (for example, Curzon House Trustees Limited);

- third party professional advisers who we instruct on your behalf or refer you to or you request we send it to, for example barristers, medical professionals, accountants, tax advisors or other experts;
- other third parties where necessary to carry out your instructions, for example your mortgage provider or HM Land Registry in the case of a property transaction or Companies House, or the other side/their legal advisers in connection with a dispute, negotiation or contractual matter on which you instruct us;
- ID check and verification providers;
- another overseas law firm or other legal service provider where your matter requires legal advice in another jurisdiction;
- credit reference agencies;
- our insurers and brokers;
- external auditors;
- our bank;
- external service suppliers, representatives and agents that we use to make our business more efficient, for example, outsourced IT service providers, marketing agencies, document collation or analysis suppliers, debt recovery service providers all based within the UK;
- any other third parties you ask us to send it to;

We only allow our service providers to handle your Client Personal Data if we are satisfied that we have a legal basis to share the same with them and they take appropriate measures to protect your Client Personal Data. We also impose contractual obligations on service providers to ensure they can only use your Client 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 Client Personal Data with other parties, such as potential buyers of some or all of our business or during a re-structuring or merger process. Information will often be anonymised but this may not always be possible or appropriate. The recipient of the information will be bound by confidentiality obligations.

Where we store your personal information

Information may be held at our offices and those of our third party agencies, 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 European Economic Area. For more information, including on how we safeguard your Personal Data when this occurs, see below: '**Transferring your Personal Data out of the EEA**'.

How long we keep your personal information

We will keep Client Personal Data after we have finished advising or acting for you. We will do so for one of these reasons and purposes:

- to respond to any questions, complaints or claims you might make or which we made on your behalf;
- to show that we treated you fairly and in accordance with the law and relevant regulation;
- to keep and process records required by law or regulation.

We will not retain and process your Client Personal Data for longer than is necessary for the purposes set out in this notice.

To determine the appropriate retention period for Client Personal Data, we consider the amount, nature, and sensitivity of the Client Personal Data, the potential risk of harm from unauthorised use or disclosure of the Client Personal Data, the purposes for which we process the Client Personal Data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Generally our retention periods are 7 years after the matter we are advising or acting for you on has completed. However, longer retention periods will apply for certain types of instructions. We also reserve the right to store all emails that we have sent and/or received from you or about your matter or you for up to 15 years (either ourselves or using a third party IT service provider). Further details are available by contacting us.

When it is no longer necessary to retain your Client Personal Data, we will delete or anonymise it.

Transferring Client Personal Data out of the EEA

To deliver services to you, it is sometimes necessary for us to share and transfer Client Personal Data outside the European Economic Area (EEA), for example

- with advisors outside the EEA;
- 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 on which we are advising you.

These transfers are subject to special rules under European and UK data protection law.

The following countries to which we may transfer Client Personal Data have been assessed by the European Commission as providing an adequate level of protection for Personal Data:

Andorra; Argentina; Faroe Islands; Guernsey; Isle of Man; Israel; Jersey; New Zealand; Switzerland; and Uruguay

The European Commission has also made partial findings of adequacy in relation to Canada, and in relation to the USA for data transfers under the Privacy Shield Framework.

Except for the countries listed above, where we transfer Client Personal Data to non-EEA countries we will ensure the transfer complies with Data Protection Legislation. Our standard practice is to use standard data protection contract clauses which have been approved by the European Commission. To obtain a copy of those clauses or if you would like further information please contact us (see 'How to contact us' below).

Your rights

You have the following rights in respect of your Personal Data, 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
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 Personal 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 consult the guidance issued by 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, or write to us (see below: '**How to contact us'**); and
- let us have enough information to identify you (e.g. your full name, address and client or 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.

To the extent that an Data Subject makes a request in relation to any of the above rights in relation to the Client Personal Data for which we are both a Data Controller, both you and us will provide reasonable assistance to each other in respect of any such request.

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 are subject to a duty of confidentiality.

We 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 may raise about our use of your Client Personal Data.

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 25 May 2018.

We may change this privacy notice from time to time.

How to contact us

Please contact us by post, email or telephone if you have any questions about this privacy notice or the personal data we hold about you.

Our contact details are shown below:
Professional & Financial Risks, Ashford House, Grenadier Rd, Exeter EX1 3LH Professional&financialrisks@ashfords.co.uk 01392 33 3535

Glossary

Agreement	means the agreement between you and us for the provision of legal services by us to you.
Client Personal Data	Personal Data processed by either or both parties under the Agreement for which (as between us and you) you are the original Data Controller. This shall include, as applicable, your Personal Data, your employees, contractors and any other staff Personal Data, your customers' Personal Data (either consumer customers or the representatives of any business customers, including their staff, customers) and any other Personal Data disclosed to us by you or your representatives, or obtained by us or anyone engaged by us, in relation to the services to be provided under the Agre1ement.
Data Controller	Means a person or entity which, alone or jointly with others, determines the purposes and means of the processing of Personal Data.
Data Protection Legislation	all applicable privacy and data protection laws including the General Data Protection Regulation ((EU) 2016/679), the Data Protection Act 2018, and any applicable regulations and secondary legislation in England and Wales relating to the processing of Personal Data and/or the privacy of electronic communications, as amended, replaced or updated from time to time, including the Privacy and Electronic Communications Directive

	(2002/58/EC) and the Privacy and Electronic Communications (EC Directive) Regulations 2003 (SI 2003/2426).
Data Subject	an individual who is the subject of Personal Data.
Personal Data	Any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
Personal Data Breach	a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data transmitted, stored or otherwise processed.
Processing, processes, process	either any activity that involves the use of Personal Data or as Data Protection Legislation may otherwise define processing, processes or process. It includes any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. Processing also includes transferring Personal Data to third parties.
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, or a person's sex life or sexual orientation.
We, us, our	Ashfords LLP