

# **PRIVACY POLICY**

All about our Privacy Policy...

## INTRODUCTION

EMW Law LLP (“we”, “us” or “our”) respects your privacy and we are committed to protecting your personal data. This privacy notice will inform you about how we look after your personal data and tell you about your privacy rights and how the law protects you.

This privacy notice includes:

1. IMPORTANT INFORMATION & WHO WE ARE
2. DOES THIS PRIVACY NOTICE APPLY TO YOU?
3. THE DATA WE COLLECT ABOUT YOU
4. HOW IS YOUR PERSONAL DATA COLLECTED
5. HOW WE USE YOUR PERSONAL DATA
6. DISCLOSURES OF YOUR PERSONAL DATA
7. INTERNATIONAL TRANSFERS
8. DATA SECURITY
9. DATA RETENTION
10. YOUR LEGAL RIGHTS

### 1. IMPORTANT INFORMATION & WHO WE ARE

#### Purpose of this privacy notice

This privacy notice aims to give you information on how we collect and process your personal data, including data we obtain when we interact with you as well as data obtained when we deal with third parties (See Indirect interactions).

#### Controller – who we are

The data controller under this privacy notice is EMW Law LLP of Seebeck House 1 Seebeck Place, Knowlhill, Milton Keynes, Buckinghamshire, MK5 8FR.

We have appointed a data protection officer (“DPO”), Matthew Holman, Principal, who is responsible for overseeing questions in relation to this privacy notice.

If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO at [dpo@emwllp.com](mailto:dpo@emwllp.com) or please write to The Data Protection Officer, EMW Law LLP of Seebeck House 1 Seebeck Place, Knowlhill, Milton Keynes, Buckinghamshire, MK5 8FR.

You always have the right to make a complaint at any time about how we process your personal data to the Information Commissioner’s Office (“ICO”), the UK supervisory authority

for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

#### Third-party links

This website ([www.emwllp.com](http://www.emwllp.com)) may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

### 2. DOES THIS PRIVACY NOTICE APPLY TO YOU?

If you fall within one of the categories below and we process your personal data, then this privacy notice will apply to you.

#### Who “you” are

As a supplier of legal services, we deal with many different parties in the course of providing our services. We have grouped together the people we deal with and whose personal data we may process, as follows:

- **Clients** includes those who have engaged our services.
- **Suppliers** includes all those that supply us with goods and/or services, as well as those with whom we have made enquiries about their goods and/or services.
- **Potential clients & referrals** includes those who have enquired about our services by any means (telephone, website enquiry, word of mouth and other means), as well as referrals.
- **Related parties** include all those who may be involved with or are in some way connected to our supply of legal services. By way of example this might include the staff, customers and contacts at regulatory authorities with whom we have dealings or other professional advisers.
- **Users** includes users of this website and those who subscribe to receive news and marketing communications from us.

### 3. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, last name and any middle names.
- **Contact Data** includes email address, telephone numbers and postal address.
- **Professional Data** includes any information about you that we may collect in the course of providing our services to Clients.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and where relevant, our third parties and your communication preferences.
- **Special Categories of Personal Data** includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data.
- **Technical Data** includes internet protocol (IP) address browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Criminal Data** includes details about your criminal convictions and offences.

We also collect and use Aggregated Data such as statistical or demographic data for internal purposes.

#### If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to act, or continue to act on your behalf.

#### 4. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you, including through:

**Direct interactions.** You may give us your Identity Data, Contact Data, Professional Data, Marketing and Communications Data, Special Categories of Personal Data and Criminal Data by providing it to our staff in meetings, filling in forms or by corresponding with us by phone, email, post, fax or SMS.

This includes personal data you provide when you:

- volunteer it to us in the course of using our services or visiting our offices;
  - submit an enquiry; or
  - subscribe to receive news from us via our website.
- **Indirect interactions.** We may obtain your Identity Data, Contact Data, Professional Data, Special Categories of Personal Data and Criminal Data where these are provided to or obtained by us in the course of us supplying our services or administering our business. This data typically originates from a combination of our Clients and

publicly accessible sources. It may also be provided to us by the individual or entity introducing us to each other, for example, where a professional third party introduces us.

- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, and other similar technologies. Please see our cookie policy, [here](#), for further details.

#### 5. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- to make contact with you for the first time (for example, where you have made an enquiry to our offices);
- where we need to perform the contract we are about to enter into or have entered into with you;
- where it is necessary for our legitimate interests (or those of a third party) and

your interests and fundamental rights do not override those interests; or

- where we need to comply with a legal or regulatory obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data. You have the right to withdraw consent to marketing at any time by contacting us.

#### Purposes for which we will use your personal data

In the table we have set out a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so.

We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful reason depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal reason we are relying on to process your personal data where more than one reason has been set out in the table below.

Purpose / Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To respond to your enquiry submitted on the site, at one of our offices or via phone, email, post and SMS.	(a) Identity (b) Contact (c) Professional	(a) Performance of a contract with you; or (b) Necessary for our legitimate interests (where you have made contact with us prior to entering into a contractual relationship with us)
To provide our professional services	(a) Identity (b) Contact (c) Professional (d) Special Categories of Personal Data (e) Criminal Data	(a) Performance of a contract with you; or (b) Necessary for our Clients' legitimate interests (to consider and engage our professional services)
To make suggestions and recommendations to you about services that may be of interest to you	(a) Identity (b) Contact (c) Professional (d) Technical (e) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business) which, if you are an individual, will include reliance on the soft opt-in principle (in accordance with Regulation 22 of The Privacy & Electronic Communications (EC Directive) Regulations 2003).

Purpose / Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To administer and protect our business and this site (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To use data analytics to improve our site, products/ services, marketing, customer relationships and experiences	(a) Technical	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To comply with our legal obligations in line with anti money laundering and counter terrorist financing obligations	(a) Identity (b) Contact	Necessary for our legitimate interests (to comply with our legal obligations under the Anti Money Laundering Regulations 2017)
To comply with the COVID-19 NHS Test and Trace related guidance	(a) Identity (b) Contact (c) Professional (d) Special Categories of Personal Data	(a) Necessary for our legitimate interests (for running our business and re-opening our offices to visitors and employees given the COVID-19 public health crisis) (b) Necessary to comply with a legal obligation

## Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

We may use your Identity, Contact, Technical and Marketing of Communications Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which services and offers may be relevant for you (we call this marketing).

You may receive marketing communications from us if you have requested information from us or if you have purchased or have entered into negotiations with us to purchase our services, in which case we may contact you based on our legitimate interest. You will always be given the opportunity to opt out of our marketing when we make contact.

You can ask us or third parties to stop sending you marketing messages at any time by contacting us at any time.

## Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please [click here](#).

### Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

## 6. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 5 above:

- External third parties for the purpose of conducting conflict checks, credit checks and work referrals.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.
- Enforcement agencies for the purpose of complying with our legal requirements under anti money laundering or terrorist financing activities. In this instance, we may not be able to tell you that we have shared your personal data.
- External third parties for the purpose of complying with the COVID-19 NHS Test and Trace guidance.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 7. INTERNATIONAL TRANSFERS

EMW does not routinely transfer personal data outside of the European Economic Area (“EEA”). The most common scenario for this is where you have asked us to do so in the course of us providing services to you or where we have engaged a third party data processor.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

(a) we will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries;

(b) where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries; and/or

(c) where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see European Commission: EU-US Privacy Shield.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 8. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

## 9. DATA RETENTION – HOW LONG WILL YOU USE MY PERSONAL DATA FOR?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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

We will only hold special category data related to Covid-19 Track and Trace for the period required by Public Health England, which is currently 21 days from the date of your visit.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by contacting us.

## 10. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data, including:

- Request access to your personal data
- Request correction of your personal data
- Request erasure of your personal data
- Object to processing of your personal data
- Request restriction of processing your personal data
- Request transfer of your personal data
- Right to withdraw consent

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive.

Alternatively, we may refuse to comply with your request in these circumstances.

### What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This

is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### YOU HAVE THE RIGHT TO:

**Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction** of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

(a) if you want us to establish the data's accuracy;

(b) where our use of the data is unlawful but you do not want us to erase it;

(c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or

(d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format.

Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

**IF YOU HAVE ANY QUESTIONS ABOUT THIS PRIVACY NOTICE, INCLUDING ANY REQUESTS TO EXERCISE YOUR LEGAL RIGHTS, PLEASE CONTACT OUR DPO, MATTHEW HOLMAN, AT [DPO@EMWLLP.COM](mailto:DPO@EMWLLP.COM).**

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