



## Privacy Policy

We take your privacy very seriously. Please read this privacy policy 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). We are also subject to the EU General Data Protection Regulation (EU GDPR) in relation to services we offer to individuals in the European Economic Area (EEA).

### Key terms

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

We, us, our	Lee Bolton Monier-Williams LLP
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 data  Biometric data (where used for identification purposes)  Data concerning health, sex life or sexual orientation
Data subject	The individual who the personal data relates to

### Personal data we collect about you

The table below sets out the personal data we will or may collect in the course of providing legal services.

<i>Personal data we will collect</i>	<i>Personal data we may collect depending on why you have instructed us</i>
Your name, address and telephone number	Your National Insurance and tax details
Information to enable us to check and verify your identity, eg your date of birth or passport details	Your bank and/or building society details. Details of your professional online presence, eg LinkedIn profile
Electronic contact details, eg your email address and mobile phone	Details of your spouse/partner and dependants or other family members, eg if you instruct us on a family matter or

<i>Personal data we will collect</i>	<i>Personal data we may collect depending on why you have instructed us</i>
<p>number</p> <p>Information relating to the matter in which you are seeking our advice or representation</p> <p>Your financial details so far as relevant to your instructions, eg 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, eg if using our website or the LBMW App.</p>	<p>a will</p> <p>Your employment status and details including salary and benefits, eg 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, eg if you instruct us on an immigration matter.</p> <p>Details of your pension arrangements, eg 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, eg 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, eg if you instruct us on discrimination claim.</p> <p>Your trade union membership, eg if you instruct us on a discrimination claim or your matter is funded by a trade union.</p> <p>Personal identifying information, such as your eye colour or your parents' names, eg if you instruct us to incorporate a company for you.</p> <p>Your medical records, eg if we are acting for you in a personal injury claim.</p>

We collect and use this personal data to provide legal services. If you do not provide personal data we ask for, it may delay or prevent us from providing those services.

### **How your personal data is collected**

We collect most of this information from you, direct or via our LBMW app. However, we may also collect information:

- from publicly accessible sources, eg Companies House or HM Land Registry;
- directly from a third party, eg:
  - sanctions screening providers;

- credit reference agencies;
- client due diligence providers;
- from a third party with your consent, eg:
  - 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 website—we use cookies on our website (for more information on cookies, please see our cookie policy accessed from the homepage of [www.lbmw.com](http://www.lbmw.com))

### How and why we use personal data

Under data protection law, we can only use your personal data if we have a proper reason, eg:

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

A legitimate interest is when we have a business or commercial reason to use your personal data, so long as this is not overridden by your own rights and interests. We will carry out an assessment when relying on legitimate interests, to balance our interests against your own.

The table below explains what we use your personal data for and why.

What we use your personal data for	Our reasons
Providing services to you	To perform our contract with you or to take steps at your request before entering into a contract
Preventing and detecting fraud against you or us	For our legitimate interest, ie to minimise fraud that could be damaging for you and/or us
Conducting checks to identify our clients and verify their identity  Screening for financial and other sanctions or embargoes  Other activities necessary to comply with professional, legal and regulatory obligations that apply to our business, eg under health and	To comply with our legal and regulatory obligations

What we use your personal data for	Our reasons
safety law or rules issued by our professional regulator	
To enforce legal rights or defend or undertake legal proceedings	<p>Depending on the circumstances:</p> <p>—to comply with our legal and regulatory obligations;</p> <p>—in other cases, for our legitimate interests, ie to protect our business, interests and rights</p>
Ensuring business policies are adhered to, eg policies covering security and internet use	For our legitimate interests, ie 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	For our legitimate interests, ie to be as efficient as we can so we can deliver the best service to you at the best price
Ensuring the confidentiality of commercially sensitive information	<p>Depending on the circumstances:</p> <p>—for our legitimate interests, ie to protect trade secrets and other commercially valuable information;</p> <p>—to comply with our legal and regulatory obligations</p>
Statistical analysis to help us manage our business, eg in relation to our financial performance, client base, services range or other efficiency measures	For our legitimate interests, ie to be as efficient as we can so we can deliver the best service to you at the best price
Preventing unauthorised access and modifications to systems	<p>Depending on the circumstances:</p> <p>—for our legitimate interests, ie to prevent and detect criminal activity that could be damaging for you and/or us;</p> <p>—to comply with our legal and regulatory obligations</p>
Protecting the security of systems and data used to provide services	<p>To comply with our legal and regulatory obligations</p> <p>We may also use your personal data to ensure the security of systems and data to a standard that goes beyond our legal obligations, and in those cases our reasons are for our legitimate interests, ie to protect systems and data and to prevent and detect criminal activity that could be</p>

What we use your personal data for	Our reasons
	damaging for you and/or us
Updating client records	Depending on the circumstances:  —to perform 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, eg making sure we can keep in touch with our clients about existing and new services
Statutory returns	To comply with our legal and regulatory obligations
Marketing our services to:  —existing and former clients;  —third parties who have previously expressed an interest in our services;  —third parties with whom we have had no previous dealings	For our legitimate interests, ie to promote our business to existing and former clients
External audits and quality checks, eg for ISO, Lexcel or Investors in People accreditation and the audit of our accounts	Depending on the circumstances:  —for our legitimate interests, ie to maintain our accreditations so we can demonstrate we operate at the highest standards;  —to comply with our legal and regulatory obligations

### How and why we use your personal data—in more detail

More details about how we use your personal data and why are set out in the table below.

Purpose	Processing operation	Lawful basis relied on under the UK GDPR and EU GDPR	Relevant categories of personal data
Communications with you not related to marketing, including about changes to our terms or policies or	Addressing and sending communications to you as required by data protection laws,	Processing is necessary for compliance with a legal obligation to which we are subject	—your name, address and contact information, including email address and telephone number and

Purpose	Processing operation	Lawful basis relied on under the UK GDPR and EU GDPR	Relevant categories of personal data
changes to the services or other important notices	ie: —the UK GDPR or Data Protection Act 2018  —the EU GDPR	(Article 6(1)(b))	company details  —your account details (username)
	Addressing and sending communications to you about changes to our terms or policies or changes to the services or other important notices (other than those addressed above)	Our legitimate interests (Article 6(1)(f)), which is to be as efficient as we can so we can deliver the best service to you	—your name, address and contact information, including email address and telephone number and company details  —your account details (username)

### How and why we use your personal data—Special category personal data

Certain personal data we collect is treated as a special category to which additional protections apply under data protection law. We do not routinely collect special category data (eg. data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership) about clients but may do so where it is relevant to the legal services we are instructed to provide.

Where we process special category personal data, we will also ensure we are permitted to do so under data protection laws, eg:

- we have your explicit consent;
- the processing is necessary to protect your (or someone else's) vital interests where you are physically or legally incapable of giving consent; or
- the processing is necessary to establish, exercise or defend legal claims.

### How and why we use your personal data—sharing

See '**Who we share your personal data with**' for more information on the steps we will take to protect your personal data where we need to share it with others.

### Marketing

We will use your personal data to send you occasional updates (by email or post) about our services, including updates, information about events or new services. We may use recognised providers such as Mail Chimp.

We have a legitimate interest in using your personal data for marketing purposes (see above '**How and why we use your personal data**'). This means we do not usually need your consent to send you

marketing information. If we change our marketing approach in the future so that consent is needed, we will ask for this separately and clearly.

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

- contacting us at [dataprotection@lbmw.com](mailto:dataprotection@lbmw.com) with the subject line '*Marketing – opt-out*'.
- Informing your LBMW contact that you do not wish to receive marketing information

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

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

### **Who we share your personal data with**

We may share personal data with:

- Third parties who are working alongside us to provide services to you (eg. accountants, tax advisers, estate agents)
- other third parties we use to help us run our business, eg marketing agencies or website hosts;
- if necessary, our bank;

We only allow those organisations to handle your personal data if we are satisfied they take appropriate measures to protect your personal data.

We or the third parties mentioned above occasionally also share personal data with:

- our external auditors, eg in relation to the audit of our accounts, in which case the recipient of the information will be bound by confidentiality obligations
- our and their professional advisors (such as lawyers and other advisors), in which case the recipient of the information will be bound by confidentiality obligations
- law enforcement agencies, courts, tribunals and regulatory bodies to comply with our legal and regulatory obligations
- other parties that have or may acquire control or ownership of our business (and our or their professional advisers) in connection with a significant corporate transaction or restructuring, including a merger, acquisition or asset sale or in the event of our insolvency—usually, information will be anonymised but this may not always be possible. The recipient of any of your personal data will be bound by confidentiality obligations

### **Where your personal data is held**

Personal data may be held at our offices, 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 UK and EEA'**.

### **How long your personal data will be kept**

We will not keep your personal data for longer than we need it for the purpose for which it is used.

As a general rule, if we are no longer providing services to you, we will delete or anonymise your personal data and all matter documents (except for deeds where we are storing those for you) after six years. However, different retention periods apply for different types of personal data and for different services. Where the matter has involved estate administration or tax the retention period is typically 7 or 12 years. Further details on this are available by request to [dataprotection@lmbw.com](mailto:dataprotection@lmbw.com).

Following the end of the of the relevant retention period, we will delete or anonymise your personal data.

### **Transferring your personal data out of the UK**

The EEA, and other countries outside the UK have differing data protection laws, some of which may provide lower levels of protection of privacy.

It is rare but sometimes necessary in the context of a particular transaction for us to transfer your personal data to countries outside the UK. In those cases we will comply with applicable UK and EEA

Under data protection laws, we can only transfer your personal data to a country outside the UK where:

- in the case of transfers subject to UK data protection law, the UK government has decided the particular country ensures an adequate level of protection of personal data (known as an **'adequacy regulation'**) further to Article 45 of the UK GDPR. A list of countries the UK currently has adequacy regulations in relation to is available online;
- there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for you; or
- a specific exception applies under relevant data protection law.

### **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
Erasure (also known as the right to be forgotten)	The right to require us to delete your personal data—in certain situations
Restriction of	The right to require us to restrict processing of your personal data—in certain



processing	situations, eg 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, eg processing carried out for the purpose of our legitimate interests unless there are compelling legitimate grounds for the processing to continue or the processing is required for the establishment, exercise or defence of legal claims.
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
The right to withdraw consent	If you have provided us with a consent to use your personal data you have a right to withdraw that consent easily at any time  You may withdraw consents by emailing <a href="mailto:dataprotection@lmbw.com">dataprotection@lmbw.com</a>  Withdrawing a consent will not affect the lawfulness of our use of your personal data in reliance on that consent before it was withdrawn

For more information on each of those rights, including the circumstances in which they apply, please contact us (see '**How to contact us**' below) or 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—see below: '**How to contact us**'; and
- provide enough information to identify yourself (eg your full name, address and client or matter reference number) and any additional identity information we may reasonably request from you;
- let us know what right you want to exercise and the information to which your request relates.

### **Keeping your personal data secure**

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

We also have procedures 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**

Please contact us if you have any queries or concerns about our use of your personal data (see below '**How to contact us**'). We hope we will be able to resolve any issues you may have.

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

### **Changes to this privacy policy**

This privacy policy was last updated in November 2022.

We may change this privacy policy from time to time. If any such change is likely to have a material impact on you or your data we will contact you to alert you. If the change is minor and will not in our reasonable opinion impact you, we will publish any updated policy on our website.

### **How to contact us**

#### **Individuals in the UK**

You can contact us by post, email or telephone if you have any questions about this privacy policy or the information we hold about you, to exercise a right under data protection law or to make a complaint.

Our contact details are shown below:

Our contact details
The Data Protection Partner
LBMW, 1 The Sanctuary, London SW1P 3JT
dataprotection@lbmw.com
0207 2225381