



PRIVACY POLICY

1. Introduction

This document sets out the obligations of **SBP Law** (the “**Firm**”) regarding data protection and your rights as its client (data subjects) in respect of your personal data under the UK General Data Protection Regulation (“**UK GDPR**”) which sits alongside the Data Protection Act 2018 (“**DPA 2018**”).

The Firm takes your privacy very seriously. Please read this privacy notice carefully as it contains important information on the Firm and how and why the Firm collects, stores, uses and shares your personal data. It also explains your rights in relation to your personal data and how to contact the Firm or supervisory authorities in the event you have a complaint.

The UK GDPR defines “personal data” as any information relating to an identified or identifiable natural person (data subject); 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.

This document sets the Firm’s obligations regarding the collection, processing, transfer, storage, and disposal of your personal data. The Firm has implemented procedures and policies for its partners, employees, consultants, agents, contractors, and/or other parties working on its behalf to follow at all times.

The Firm is committed not only to the letter of the law, but also to the spirit of the law and places high importance on the correct, lawful, and fair handling of all personal data, respecting the legal rights, privacy, and trust of all individuals with whom it deals.

2. Lawful, fair, and transparent data processing

The UK GDPR seeks to ensure that personal data is processed lawfully, fairly, and transparently, without adversely affecting your rights as the data subject.

As you are a client of the Firm and have contracted with it to provide you with the necessary legal assistance, under the UK GDPR the Firm is allowed to process your personal data as a necessity for the performance of the contract.

The Firm will collect and use your personal data to provide legal services. If you do not provide the personal data the Firm asks for, it may delay or prevent the Firm from providing those services.

3. The data protection principles

The UK GDPR sets out the following principles with which any party handling personal data must comply. All personal data must be:

- processed lawfully, fairly, and in a transparent manner in relation to the data subject;

- collected for specified, explicit, and legitimate purposes and not further processed in a manner that is incompatible with those purposes. Further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed;
- accurate and, where necessary, kept up to date. Every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which it is processed, is erased, or rectified without delay;
- kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed. Personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes, subject to the implementation of the appropriate technical and organisational measures required by the UK GDPR in order to safeguard the rights and freedoms of the data subject;
- processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.

4. Keeping you informed

The Firm shall provide the information set out below to every client.

Where your personal data is collected directly from you, you will be informed of its purpose at the time of collection.

Where your personal data is obtained from a third party, you will be informed of its purpose:

- if the personal data is used to communicate with you, when the first communication is made; or
- if the personal data is to be transferred to another party, before that transfer is made; or
- as soon as reasonably possible and in any event, not more than one month after the personal data is obtained.

5. How your personal data is collected

The Firm collect most of this information from you, directly. However, the Firm 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 the Firm 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 its website - the Firm uses cookies on our website;
- via its information technology systems.

6. How and why The Firm use personal data

Under data protection law, the Firm can only use your personal data if there is a proper reason, e.g.:

- where you have given consent;
- to comply with its 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 the Firm's legitimate interests or those of a third party.

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

The table below explains what the Firm uses your personal data for and why.

What the Firm uses your personal data for	Reasons
Providing services to you	To perform the Firm's contract with you or to take steps at your request before entering into a contract
Preventing and detecting fraud against you or the Firm	For the Firm's legitimate interests, i.e. to minimise fraud that could be damaging for you and/or the Firm
Conducting checks to identify the Firm's clients and verify their identity	To comply with the Firm's legal and regulatory obligations
Screening for financial and other sanctions or embargoes	
Other activities necessary to comply with professional, legal and regulatory obligations that apply to its business, e.g. under health and safety law or rules issued by the Firm's professional regulator	
To enforce legal rights or defend or undertake legal proceedings	Depending on the circumstances: —to comply with the Firm's legal and regulatory obligations; —in other cases, for the Firm's legitimate interests, i.e. to protect its business, interests and rights
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with the Firm's legal and regulatory obligations
Ensuring policies are adhered to, e.g. policies covering security and internet the Firm	For the Firm's legitimate interests, i.e. to make sure the Firm is following its own internal procedures so it can deliver the best service to you
Operational reasons, such as improving efficiency, training and quality control	For the Firm's legitimate interests, i.e. to be as efficient as possible so the it can deliver the best service to you at the best price
Ensuring the confidentiality of commercially sensitive information	Depending on the circumstances: —for the Firm's legitimate interests, i.e. to protect trade secrets and other commercially valuable

What the Firm uses your personal data for	Reasons
	information; —to comply with the Firm's legal and regulatory obligations
Statistical analysis to help the Firm manage its business.	For the Firm's legitimate interests, i.e. to be as efficient as possible so it can deliver the best service to you at the best price
Preventing unauthorised access and modifications to systems	Depending on the circumstances: —for the Firm's legitimate interests, i.e. to prevent and detect criminal activity that could be damaging for you and/or the Firm; —to comply with the Firm's legal and regulatory obligations
Protecting the security of systems and data used to provide services	To comply with the Firm's legal and regulatory obligations The Firm may also use your personal data to ensure the security of systems and data to a standard that goes beyond its legal obligations, and in those cases the Firm's reasons are for its legitimate interests, i.e. to protect systems and data and to prevent and detect criminal activity that could be damaging for you and/or the Firm
Updating client records	Depending on the circumstances: —to perform the Firm's contract with you or to take steps at your request before entering into a contract; —to comply with the Firm's legal and regulatory obligations; —for the Firm's legitimate interests, e.g. making sure it can keep in touch with its clients about existing and new services
Statutory returns	To comply with the Firm's legal and regulatory obligations
Ensuring safe working practices, staff administration and assessments	Depending on the circumstances: —to comply with the Firm's legal and regulatory obligations; —for the Firm's legitimate interests, e.g. to make sure the Firm is following its own internal procedures and working efficiently so it can deliver the best service to you
Marketing the Firm's services to: —existing and former clients; —third parties who have previously expressed an interest in the Firm's services; —third parties with whom the Firm has had no previous dealings	For the Firm's legitimate interests, i.e. to promote its business to existing and former clients
Credit reference checks via external credit reference agencies where applicable	For the Firm's legitimate interests, i.e. to ensure the Firm's clients are likely to be able to pay for its services
External audits and quality checks.	Depending on the circumstances: —for the Firm's legitimate interests, i.e. to maintain its accreditations so it can demonstrate it operates at the highest standards;

What the Firm uses your personal data for	Reasons
	—to comply with the Firm’s legal and regulatory obligations
To share your personal data with members of the Firm’s third parties that will or may take control or ownership of some or all of its business (and professional advisors acting on the Firm’s or their behalf) in connection with a significant corporate transaction or restructuring, including a merger, acquisition, asset sale or in the event of the Firm’s insolvency. In such cases information will be anonymised where possible and only shared where necessary	Depending on the circumstances: —to comply with the Firm’s legal and regulatory obligations; —in other cases, for the Firm’s legitimate interests, i.e. to protect, realise or grow the value in its business and assets

7. **How and why the Firm uses your personal data – special category**

Certain personal data the Firm collects is treated as a special category to which additional protections apply under data protection law:

- personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership;
- genetic data;
- biometric data (when used to uniquely identify an individual);
- data concerning health, sex life or sexual orientation.

Where the Firm processes special category personal data, it will also ensure it is permitted to do so under data protection laws, e.g.:

- the Firm has 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.

8. **Sharing of personal data**

During the Firm’s retainer with you it may share your information with the following entities:

- Courts and Tribunals;
- experts required to advise or provide reports;
- barristers & barristers’ chambers;
- accountants;
- the Firm’s professional advisors;
- opposing lawyers and representatives;
- the Solicitors Regulation Authority;
- the Legal Ombudsman;
- banks and lenders;
- mediation and arbitration service providers;
- Government bodies;
- auditors;
- IT support, infrastructure and system providers;
- partners, employees and consultants of the Firm;
- contractors to the Firm working on your matter;
- postal service providers, including couriers;

- insurers and brokers;
- HM Land Registry;
- other third parties the Firm uses to help it run its business, e.g. marketing agencies or website hosts;
- third parties approved by you, e.g. social media sites you choose to link your account to or third party payment providers;
- credit reference agencies and card payment providers;
- the Firm's external auditors, e.g. in relation to the audit of its accounts or files, or systems and processes;
- other parties that have or may acquire control or ownership of the Firm's business (and its 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 the Firm's 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 the Firm outsources to third party providers, it only allows those organisations to handle your personal data if it is satisfied they take appropriate measures to protect your personal data. The Firm also imposes contractual obligations on them to ensure they can only use your personal data to provide services to the Firm and to you.

9. **Marketing**

The Firm will use your personal data to send you updates about its services (by email, text message, telephone or post).

The Firm has a legitimate interest in using your personal data for marketing purposes. This means the Firm does not usually need your consent to send you marketing information. If the Firm changes its marketing approach in the future so that consent is needed, it will ask for this separately and clearly.

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

The Firm may ask you to confirm or update your marketing preferences if you ask it to provide further services in the future, or if there are changes in the law, regulation, or the structure of its business.

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

10. **Personal data collected, held, and processed**

The following personal data is collected, held, and processed by the Firm:

Data Ref.	Type of Data	Purpose of Data
Client Name	Your Name	To identify you
Address	Your Address	To send letters to you
Email address	Your email address	To send communication via email
Mobile telephone	Your mobile telephone number.	To communicate with you by phone and/or by text.
Date of Birth	Your date of birth	To identify you
Passport Number	Your passport details	To identify you and comply with Anti-Money Laundering Regulations (where applicable)
Driving licence number	Your driving licence details	To identify you and comply with Anti-Money Laundering Regulations (where applicable)

Data Ref.	Type of Data	Purpose of Data
Utility Bill	Your utility bill(s)	To identify you and comply with Anti-Money Laundering Regulations (where applicable)
Matter Information	Matter history and associated information	Information relating to the matter in which you are seeking the Firm's advice or representation
Credit Check	Your finance/credit information	Information to enable the Firm to undertake a credit or other financial checks on you
Financial Data	Your financial information.	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.
Client Service Data	Your access to the Firm's communication systems	Information about your use of the Firm's IT, communication and other systems, and other monitoring information.

11. Personal data collected for compliance with the Firm's regulatory responsibilities

Pursuant to Regulation 41 of *The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017* and *The Money Laundering and Terrorist Financing (Amendment) Regulations 2019*, the Firm will not use any personal data provided for the purpose of complying with the regulation for any purpose other than for the prevention of money laundering or terrorist financing.

12. Where your personal data is held

Personal data may be held at the Firm's offices and those of its third party agencies, service providers, representatives and agents as described above (see 'Sharing of Personal Data').

13. How long your personal data will be kept for

The Firm will not keep your personal data for longer than is required for the purpose for which it is used or as agreed with you.

As a general rule, if the Firm is no longer providing services to you, it will delete or anonymise your account data after seven years. However, different retention periods apply for different types of personal data and for different services as set out in the Firm's Client Care Letter and Terms and Conditions of Business.

Following the expiry of the relevant retention period, the Firm will delete or anonymise your personal data.

14. Transferring your personal data out of the UK

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

It is sometimes necessary for the Firm to transfer your personal data to countries outside the UK. In those cases the Firm will comply with applicable UK laws designed to ensure the privacy of your personal data.

Under data protection laws, the Firm 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;
- in the case of transfers subject to EEA data protection laws, the European Commission has decided that the particular country ensures an adequate level of protection of personal data (known as an 'adequacy decision') further to Article 45 of the EU GDPR;
- 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.

Where the Firm transfers your personal data outside the UK, it does so on the basis of an adequacy decision. In the event the Firm cannot or chooses not to continue to rely on either of those mechanisms at any time, it will not transfer your personal data outside the UK unless it can do so on the basis of an alternative mechanism or exception provided by UK data protection law and reflected in an update to this notice.

Any changes to the destinations to which the Firm sends personal data or in the transfer mechanisms the Firm relies on to transfer personal data internationally will be notified to you in accordance with the section on 'Changes to this Privacy Notice' below.

15. Transferring your personal data out of the UK - further information

If you would like further information about data transferred outside the UK, please contact the Firm.

16. Your rights (as a data subject)

The UK GDPR sets out the following rights applicable to data subjects (please refer to the parts of this notice indicated for further details):

- the right to be informed;
- the right of access;
- the right to rectification;
- the right to erasure (also known as the 'right to be forgotten');
- the right to restrict processing;
- the right to data portability;
- the right to object;
- not to be subject to automated individual decision making;
- the right to withdraw consent.

17. Data Subject Access Requests

You may make Subject Access Requests ("**SARs**") at any time to find out more about the personal data that the Firm holds about you, what it is doing with that personal data, and why.

If you wish to make a SAR you may do so in writing. SARs should be addressed to the Firm's Data Protection Manager, who is David Pritchard. All SARs received shall be handled by the Firm's Data Protection Manager.

Responses to SARs shall normally be made within one month of receipt, however, the Firm may extend by up to two months if the SAR is complex and/or numerous requests are made. If such additional time is required, you shall be informed.

The Firm does not charge a fee for the handling of normal SARs. However, the Firm reserves the right to charge reasonable fees for additional copies of information that has already been supplied to you, and for requests that are manifestly unfounded or excessive, particularly where such requests are repetitive.

18. Rectification of personal data

You have the right to require the Firm to rectify any of your personal data that is inaccurate or incomplete.

The Firm shall rectify the personal data in question and inform you of that rectification, within one month of you informing the Firm of the issue. The period can be extended by up to two months in the case of complex requests. If such additional time is required, you shall be informed.

In the event that any affected personal data has been disclosed to third parties, those parties shall be informed of any rectification that must be made to that personal data.

21. Erasure of personal data

You have the right to request that the Firm erases the personal data it holds about you in the following circumstances:

- it is no longer necessary for the Firm to hold your personal data with respect to the purpose(s) for which it was originally collected or processed;
- you wish to withdraw your consent to the Firm holding and processing your personal data;
- you object to the Firm holding and processing your personal data (and there is no overriding legitimate interest to allow the Firm to continue doing so);
- the personal data has been processed unlawfully;
- the personal data needs to be erased in order for the Firm to comply with a particular legal obligation.

Unless the Firm has reasonable grounds to refuse to erase personal data, all requests for erasure shall be complied with, and you will be informed of the erasure, within one month of receipt of your request. The period can be extended by up to two months in the case of complex requests. If such additional time is required, you shall be informed.

In the event that any personal data that is to be erased in response to your request has been disclosed to third parties, those parties shall be informed of the erasure (unless it is impossible or would require disproportionate effort to do so).

22. Restriction of personal data processing

You may request that the Firm ceases processing the personal data it holds about you. If you make such a request, the Firm shall retain only the amount of personal data concerning you (if any) that is necessary to ensure that the personal data in question is not processed further.

In the event that any affected personal data has been disclosed to third parties, those parties shall be informed of the applicable restrictions on processing it (unless it is impossible or would require disproportionate effort to do so).

23. Objections to personal data processing

You have the right to object to the Firm processing your personal data based on legitimate interests and direct marketing (including profiling).

Where you object to the Firm processing your personal data based on its legitimate interests, the Firm shall cease such processing immediately, unless it can be demonstrated that the Firm's legitimate grounds for such processing override your interests, rights, and freedoms, or that the processing is necessary for the conduct of legal claims.

Where you object to the Firm processing your personal data for direct marketing

purposes, it shall cease such processing immediately.

24. Withdrawing consent

If you have provided the Firm with a consent to the use of your personal data, you have a right to withdraw that consent easily at any time.

You may withdraw consent either by contacting the Firm's Data Protection Manager at davidp@sbplaw.co.uk or by post.

Withdrawing a consent will not affect the lawfulness of the Firm's use of your personal data in reliance on that consent before it was withdrawn.

25. More information on how to exercise your rights

To find more information on how you may exercise your rights as a data subject, please see the *Guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under the General Data Protection Regulation*.

26. Keeping your personal data secure

The Firm has appropriate security measures to prevent personal data from being accidentally lost, or used or accessed unlawfully. The Firm limits 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.

The Firm also has procedures to deal with any suspected data security breach. The Firm will notify you and any applicable regulator of a suspected data security breach where there is a legal requirement to do so.

27. How to complain

Please contact the Firm if you have any queries or concerns about its use of your personal data (see below 'How to Contact The Firm').

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

28. Changes to this notice

The Firm may change this notice from time to time, but will inform you if this occurs.

29. How to contact the Firm

You can contact the Firm's Data Protection Manager by post or email using the details above should you have any questions about this notice or the information the Firm holds about you, to exercise a right under data protection law or to make a complaint.