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## Client Data Privacy Notice

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The purpose of this Notice is to explain how Bristows (“we”, “us” or “our”) handles individuals’ personal data where it is received or otherwise processed by us in connection with our client engagements. It also explains the rights that individuals may have under data protection law. In this Notice, we refer to this type of information as “**Client Data**” and it can include personal data from a broad range of individuals working for or connected with our clients, or individuals who are otherwise related to or involved in the matters on which we are instructed. Where Bristows processes Client Data as a data controller, Bristows LLP will be the data controller in respect of Client Data. See Section 3 for more information.

### What client data can we collect?

We collect various types of Client Data. This may include the following categories of information:

- **Business contact details:** such as an individual’s work address, telephone number and email address.
- **Personal contact details:** such as alternative contact details in the event of an important situation arising (e.g. personal mobile number).
- **Details of personal circumstance:** we may collect this information where an individual seeks our advice or where we need to ascertain the beneficial ownership of an organisation we are engaged to provide advice to. This could include third party references (if required) and information required for anti-money laundering checks (if applicable).
- **Information about a client’s staff or a client’s third party business associates:** such as who works for our client and who our client does business with, or about other individuals who may be connected with or involved in a matter on which we are advising. This information may be obtained in circumstances where we are acting on a deal between our client and another organisation/individual, or where we are acting for our client in the course of a dispute.
- **Information to help us perform our services:** such as constitutional documents relating to an organisation, financial statements or other company documentation. We sometimes collect this information from third party sources such as Companies House or similar information repositories or may collect it directly from our clients.
- **Other information:** this is information which our clients voluntarily provide in the course of our relationship. For example, where individuals working for a client registers an interest in a particular event we run, or a legal insights newsletter we send.

### How do we obtain client data?

We may receive Client Data:

- **Directly from our clients:** For instance when our clients first get in touch to discuss a new matter, either over the telephone or at a meeting, or when they provide correspondence or other documents for consideration.
- **From third parties:** For instance, correspondence and documents from other parties to a transaction or a dispute may include personal data.

## Bristows' role when process personal data?

### **Bristows as a data controller**

In the majority of situations, Bristows will be a data controller in respect of the Client Data we hold. This means we determine how and why it Client Data is processed. For example, Bristows will be a data controller when advising our clients, conducting deals or litigation. However, in some situations, for discrete elements of the work we are asked to do, we will be a data processor, as explained below.

### **Bristows as a data processor**

Where Bristows is a data processor, we will handle Client data solely as directed by our clients' written instructions. This will apply in situations where a client has engaged us to support them in relation to a matter that requires us to use, disclose and otherwise handle documents (hard copy or electronic) where we may have had no knowledge of, or control over, the contents of the documents, some of which may contain Client Data. For example, where our client instructs us to engage third party service providers (e.g. e-discovery providers, providers of virtual data rooms, document production services, couriers, etc.) to provide hosting, review, scanning, redaction and other document or disclosure management-related services in relation to documents which contain Client Data. In such situations, Bristows will act on behalf of the client as a data processor, under their written instructions and in such cases Client Data will be handled in accordance with our Terms of Business.

## What will we do with Client Data?

The main purposes for which we use Client Data include:

- Performing our engagement with the client: for example when preparing advice for a client, conducting litigation or acting on a commercial transaction we may have to consider and handle information relating to individuals involved in the matter.
- Financial management: for example creating invoices and disbursement records.
- Performance of our business operations: for example carrying out day to day business activities, allowing us to work together and collaborate, providing services to our clients and ensuring business continuity.
- Security Management: for example, when our clients attend meetings, to ensure the security of our premises (for example, by using CCTV).
- Public Relations and Marketing: for example sending communications such as press releases, blogs or newsletters.
- Legal and Regulatory Compliance: for example to ensure compliance with our obligations set out by the Solicitors Regulation Authority ("SRA"), health & safety requirements and other legal or fiscal obligations, or in connection with a dispute or an internal investigation or audit and to ensure compliance with our policies regarding anti-money laundering, bribery and corruption.
- Acting on our client's instructions where we are a data processor, for example where we are instructed to work on a dispute and, as part of this dispute, we are instructed by our client to engage a third party service provider for document management purposes and we have no control over the documents or their contents. Here, our relationship with our client is that of a data processor and processing of Client Data will be governed by our Terms of Business.

We will only process Client Data where we have a legal basis for doing so. Our processing of Client Data is generally because we have a legitimate interest in processing this data to provide services to clients or to operate our business and/or because it is necessary for us to comply with a legal obligation we are subject to. In addition, certain processing may be based on individual consent (which that individual has the right to withdraw).

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## Who is client data shared with?

### a) Within Bristows

We restrict access to Client Data to people within the firm who have a need to know such information. For example, the partner managing a matter will have access to certain Client Data to provide the services to that client, and will also grant access to other members of the team who are assisting with the matter.

### b) Outside Bristows

We share Client Data with our third party service providers where this is necessary in order to provide our services to a client, as well as certain other third parties as described below. Where applicable, Client Data will be handled in accordance with our duty of confidentiality under the SRA Code of Conduct. We will only disclose Client Data to our third party service providers and other third parties in the following circumstances:

- where it is necessary as part of the work we are doing, for example, where we have engaged an expert in a dispute;
- when required to do so by law;
- in response to a legitimate request for assistance by the police or other law enforcement agency;
- to seek advice from our professional advisers or in connection with a dispute;
- in connection with the sale, purchase or merger of our business; and/or
- where the third party service provider needs the information to provide the services to us, for example if a document needs to be translated.

## How long will we retain client data?

We keep Client Data for as long as we need it for the purposes set out above. This period will vary depending on clients' interactions with us. For example, where there is an engagement with us, we will keep Client Data for the period necessary for invoicing, tax and to protect our legal interests and meet our regulatory obligations. We may also keep Client Data as a record of correspondence with a client (for example if a client has made a complaint about our service) for as long as is necessary to protect us from a legal claim. Where we no longer have a need to keep Client Data, we will delete it. Please note that where any individual unsubscribes from our marketing communications (for example, newsletters or information about Bristows events), we will keep a record of that individual's email address to ensure we do not send that individual marketing emails about our services or events in future.

## Where do we store client data?

Client Data may be transferred to, and stored at, a destination outside the EEA and the UK in countries, which have less strict, or no data protection laws, when compared to those in Europe. It may also be processed by staff or our third party service providers in other non-EEA jurisdictions which also have less strict or no, data protection laws.

Whenever we transfer Client Data outside of the EEA or the UK, we will take legally required steps to ensure that adequate safeguards are in place to protect Client Data and to make sure it is treated securely and in accordance with this Notice.

## Exercising individual rights?

PI Individuals whose personal data are Client Data for the purposes of this Notice may have the right to request access to, rectification or erasure of, the Client Data we hold. These individuals may also have a right to object to or restrict certain types of processing of the elements Client Data which pertain to them and request to receive a machine-readable copy of that personal data. Any request to exercise one of these rights will be assessed by us on a case by case basis. There may be circumstances in which we are not

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legally required to comply with a request because of relevant exemptions provided for in applicable data protection legislation.

### Questions and more information

For clients, please contact the partner named on your letter of engagement if you would like to find out more about any matters relating to this Notice.

Where any individual whose personal data we hold as part of Client Data has concerns about the way in which we have handled their personal data, they should contact the relevant contact with Bristows at their organisation in the first instance, who will communicate this to the partner named on your letter of engagement. If you are still dissatisfied, you have the right to complain to your Data Protection Authority. In the UK, the Data Protection Authority is the Information Commissioner's Office.

### Updates to this Notice

We may change this Notice from time to time in order to reflect changes in the law, regulatory guidance or our data privacy practices in compliance with the law. When this happens and where required by law, we will provide clients with a new or an updated notice detailing how the use of Client Data is changing and, if necessary, obtain your consent for the further processing.

This Notice was last updated on **23 May 2018**