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## Privacy Policy

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## **Bevan Kidwell LLP – Privacy Notice**

### **Introduction**

#### **1. Important information and who we are**

##### **Purpose of this privacy notice**

This privacy notice aims to give you information on how Bevan Kidwell LLP collects and processes your personal data.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

##### **Controller**

Bevan Kidwell LLP (registered number OC362134) (collectively referred to as **BK, we, us** or **our** in this privacy notice) is the controller and responsible for your personal data.

We have appointed a data privacy manager 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 data privacy manager using the details set out below.

##### **Contact details**

Our full details are:

Full name of legal entity: Bevan Kidwell LLP

Name or title of data privacy manager: Jean Bevan

Email address: Jean@bevankidwell.com

Registered office: Bevan Kidwell LLP, 113-117 Farringdon Road, London, EC1R 3BX

You have the right to make a complaint at any time 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.

##### **Your duty to inform us of changes**

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

##### **Third-party links**

This website 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. The data we collect about you

Personal data means (in summary) any information about an individual from which that person can be identified (directly or indirectly). It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes billing address, home address, email address and telephone numbers.
- **Financial Data** includes bank account details.
- **Transaction Data** includes details about payments to and from you and details of services we have provided to you.

We do not generally collect any **Special Categories of Personal Data** about you (this 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). Nor do we collect any information about criminal convictions and offences. If in the course of our providing services to you we need to collect any Special Categories of Personal Data we will inform you and obtain your express consent.

### 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 (for example for us to provide services to you) and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services). In this case, we may have to terminate our provisions of services to you; we will notify you if this is the case at the time.

## 3. 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, Contact and Financial Data by corresponding with us by post, phone, email or otherwise, or by providing this information when you meet with us.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
  - Identify Data and Contact Data: from credit reference agencies, fraud prevention agencies, accountants, solicitors, estate agents, providers of online identity checks and other like entities.
  - Identity Data: from publicly available sources such as Companies House and the Electoral Register.
  - Financial Data: from banks, building societies and lenders.

#### 4. 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:

- Where we need to perform the contract we are about to enter into or have entered into with you, ie in order for us to provide our services to 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.
- Where we need to comply with a legal or regulatory obligation.

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

We have set out below, in a table format, 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 ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a client	(a) Identity (b) Contact	Performance of a contract with you.
To process and deliver services to you including: (a) Providing services to you (b) Manage payments, fees and charges (c) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Performance of a contract with you. (b) Necessary for our legitimate interests (to recover debts due to us).
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Conducting online identity checks	(a) Identity (b) Contact	(a) Performance of a contract with you. (b) Necessary to comply with a legal obligation. (c) Necessary for our legitimate interests (to keep our records updated).
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact	(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 make disclosures to legal and regulatory authorities, such as HMRC and the National Crime Agency	(a) Identity (b) Contact (c) Financial	Necessary to comply with a legal obligation.
To make disclosures to our bookkeepers, accountants and auditors	(a) Identify (b) Financial	(a) Necessary for our legitimate interests (for preparing and auditing our accounts).  (b) Necessary to comply with a legal obligation.

## Marketing

We will not send you general marketing communications. We will not share your personal data with any other entity for marketing purposes.

## Cookies

We do not use cookies on our website ([www.bevankidwell.com](http://www.bevankidwell.com)).

## 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.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 5. 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 4 above.

- IT providers and providers of our IT systems and IT and data storage.
- Our book keeper, accountants, auditors, bankers and insurers.
- Other professional advisors such as lawyers, accountants, bankers and insurers.
- HMRC, the National Crime Agency, the Solicitors Regulation Authority and other regulatory bodies having jurisdiction over us.
- 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.

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.

## **6. International transfers**

Some of our external third parties (such as providers of our IT systems and IT and data storage) are based outside the European Economic Area (**EEA**) so their processing of your personal data will involve a transfer of data outside the EEA.

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:

- 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.
- 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.
- 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.

## **7. 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.

## **8. Data retention**

- We will retain all your files and documents on any particular matter relating to you for a period of at least 7 years from conclusion of the matter concerned.
- We will retain your personal data for 7 years from the date upon which you last instructed us on any matter.
- The above is subject to any circumstances in which we decide that it may be appropriate to retain your data for longer, for example in relation to ongoing contractual obligations or to comply with legal or regulatory requirements and we will periodically review our retention of any such data.
- We can store your files, documents and personal data in paper or electronic form and (if we store in electronic form) we reserve the right to destroy paper copies.

## 9. Your legal rights

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 wish to exercise any of the rights set out above, please contact us, using the contact details set out above.

### **No fee usually required**

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.

## **Time limit to respond**

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.

## **10. Glossary**

**Legitimate interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

**Bevan Kidwell LLP**

**May 2018**