

Harbottle & Lewis LLP – Client Privacy Notice

Harbottle & Lewis LLP (“**Harbottle**”, “**we**”, “**us**”, “**our**”) is committed to respecting and safeguarding your privacy. This Privacy Notice sets out the ways in which we process personal data where it is processed by us in connection with our client engagements. It also explains the rights that individuals may have under data protection law in relation to such data. In this Privacy Notice, we refer to this type of information as “**Client Data**” and it can include personal data from a broad range of individuals, including clients themselves (where the client is an individual), as well as 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. For the purposes of data protection laws, Harbottle & Lewis LLP is the data controller in relation to the processing of Client Data as described in this Privacy Notice.

For information regarding the processing of other personal data by us, please see our website privacy policy [here](#).

1. WHAT CLIENT DATA DO WE PROCESS

The Client Data we process includes (depending on the circumstances):

- **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).
- **Identity documentation:** Such a passport, driving licence or utility bill.
- **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 financial data and background information. This could also include third party references (if required) and information required under applicable regulations as part of client due diligence for the purposes of preventing money laundering, terrorist financing or proliferation financing (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 transaction 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.
- **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 newsletter we send.

Client Data may include special categories of data (such as race or ethnicity, religious beliefs, sexual orientation, health and information regarding disabilities) and/or information about criminal convictions and offences.

It is important that you notify us as soon as reasonably practicable if there are any changes to the details we hold for you (such as your residential or business address, as relevant), or any material change in your circumstances which might affect the provision of our services to you.

2. HOW WE COLLECT CLIENT DATA

We collect Client Data that is provided to us in the following ways:

- As part of our client due diligence and business acceptance processes.

- When clients and others submit correspondence to us (including by post, email, direct messages, or via our website).
- When individuals register for and/or attend our events.
- In the course of providing our legal services.
- In certain circumstances, we receive Client Data from third parties such as courts, lawyers, accountants, and expert witnesses.
- Where permitted or required by law, we receive Client Data, including fraud detection information, from third party service providers, financial crime compliance and KYC solutions providers and/or publicly available sources such as Companies House, for instance to carry out identity and compliance checks.

3. HOW WE USE CLIENT DATA

We use Client Data for the following purposes:

- To comply with any client verification obligations and/or any other legislation or regulations applicable to the provision of legal services, and to protect, investigate, and deter against fraudulent, unauthorised, or illegal activity, including identity fraud. The processing is undertaken on the basis of our legitimate interests to operate a safe and lawful business and to detect and prevent fraud, or where we have a legal obligation to do so.
- To provide the legal services requested from us. This processing is undertaken either on the basis of performing our contract with our clients, or on the basis of consent, or where necessary for the establishment, exercise or defence of legal claims or otherwise on the basis of our legitimate interest to conduct our business.
- To manage our relationship with our clients, including by maintaining our database of clients, notifying clients about changes to our terms of engagement and/or our fees. This processing is undertaken either on the basis of performing our contract with our clients, or to comply with our legal obligations, or on the basis of our legitimate interests to keep our records updated and to conduct our business.
- To keep clients and others informed of our news, publications, services, seminars, and events. This processing is undertaken either on the basis of consent where we have requested it, or our legitimate interests to provide marketing communications where we may lawfully do so.
- To manage our internal business processes (such as credit checking and invoicing, and to collect and recover money owed to us). This processing is undertaken on the basis of performing our contract with our clients and on the basis of our legitimate interest to recover debts due and to conduct our business.
- To enable us to comply with our policies and procedures, to defend any claims, and enforce our legal rights, or to protect the rights, property, or safety of our employees and share Client Data with our advisors. This processing is undertaken on the basis of our legitimate interests to operate a safe and lawful business, where necessary for the establishment, exercise or defence of legal claims, or where we or where we have a legal obligation to do so.

Where we process Client Data on the basis of our legitimate interests, we ensure that we take into account any potential impact that such processing may have on the relevant individual/s.

4. WHO IS CLIENT DATA SHARED WITH

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. 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.
- Where the third party service provider needs the information to provide the services to us, for example where we have instructed foreign counsel on a client's behalf, or if a document needs to be translated into a foreign language or where we are utilising a third party tool or service (such as a disclosure platform) in order to provide a service to our client.

5. HOW LONG WILL WE RETAIN CLIENT DATA?

We store 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.

In general, we store our client files for 15 years from the date when we close the file, except in relation to matters with our Family, Property and Private Client & Tax teams, where due to the nature of those matters we retain the applicable files for 30 years from the date when we close the file.

The above retention periods do not apply to the storage of documents (such as title documents, title deeds and other valuable documents) which you specifically ask us to keep in safe custody.

In accordance with applicable regulations relating to anti-money laundering, terrorist financing and proliferation financing, we will keep copies of documents, information and supporting records we obtain to satisfy client due diligence requirements, measures and/or ongoing monitoring, for at least 5 years beginning on the date on which we know, or have reasonable grounds to believe, as applicable: (a) that the transaction is complete, for records relating to an occasional transaction, or (b) that the business relationship has come to an end. Following expiry of this retention period, we will delete any personal data obtained in relation to the applicable regulations unless either (a) we are required to retain records containing personal data by law or for the purposes of any court proceedings; (b) the relevant individual has given consent to the retention of that data; or (c) we have reasonable grounds for believing that records containing the personal data need to be retained for the purpose of legal proceedings.

6. INTERNATIONAL TRANSFERS OF YOUR INFORMATION

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 and/or the UK. 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 the 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 applicable data protection law. You may contact us for an explanation of the basis on which we have transferred Client Data and, where relevant, to request a copy of the legal safeguards we have put in place.

7. YOUR RIGHTS

You have certain rights in respect of the information we hold about you, including the right to:

- Request that we correct or rectify any information that we hold about you which is out of date or incorrect.

- Withdraw your consent for our use of your information where we rely on your consent.
- Object to our using your information on the basis of our legitimate interests (or those of a third party).
- Receive a copy of any information we hold about you (or request that we transfer this to another service provider) in a structured, commonly-used, machine readable format, in certain circumstances.
- Ask us to limit or cease processing or erase information we hold about you in some circumstances.
- Lodge a complaint about us to the UK Information Commissioner's Office (<https://ico.org.uk/>) and with the relevant authority in your country of work or residence.
- You also have the right to request access to any information that we hold about you.

If you wish to exercise any of the above rights (or if you have any questions regarding this Privacy Notice), you may contact us at:

FAO: Chief Operating Officer
Harbottle & Lewis LLP
7 Savoy Court
London
WC2R 0EX
Email: privacy@harbottle.com

You may also ask that we stop sending you marketing communications at any time by notifying us in writing using the same contact information set out above, by contacting the lawyer responsible for your work, or by following the unsubscribe link contained in the marketing emails that we send to you.

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

8. UPDATES TO THIS PRIVACY NOTICE

We reserve the right to make changes to this Privacy Notice from time to time. We will post any such changes to our site and, where appropriate, notify you of any material changes by e-mail.

This notice was last updated on **22 January 2024**.