



## Client Data & Privacy Policy

We take our clients’ privacy very seriously. Please read this Data & 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 regulatory body in the event you have a complaint.

When we use your personal data we are regulated under the General Data Protection Regulation (“GDPR”) which applies across the European Union (including in the United Kingdom) and we are responsible as ‘controller’ of that personal data for the purposes of the GDPR. Our use of your personal data is subject to your instructions, the GDPR, other relevant UK and EU legislation and our professional duty of confidentiality.

## Key terms

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

|                                |   |
|--------------------------------|---|
| We, us, our                    | OCG Legal Ltd   |
| Our data protection officer    | C Farmery<br>e-mail: <a href="mailto:christopher.farmery@ocglegal.co.uk">christopher.farmery@ocglegal.co.uk</a><br>t: 0044 (0) 1724 840400  |
| 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<br>Genetic and biometric data<br>Data concerning health, sex life or sexual orientation |

## Personal data we collect about you

The table below sets out the personal data we will or may collect in the course of acting for you:

| Personal data we will collect:   | Personal data we may collect depending on why you have instructed us:   |
|--|---|
| Your name, address and telephone number<br>Information to enable us to check and verify your identity<br>Electronic contact details<br>Information relating to the matter in which you are seeking our assistance, advice or representation<br>Information to enable us to undertake a credit or other financial checks on you<br>Your financial details so far as relevant to your instructions<br>Information about your use of our IT, communication and other monitoring information | Your National Insurance and tax details<br>Your bank and/or building society details<br>Details of your spouse/partner and dependents or other family members,<br>Your employment status and details including salary and benefits<br>Your nationality and immigration status and information from related documents, such as your passport or other identification, and immigration information<br>Details of your pension arrangements<br>Your employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances (including relevant special category personal data<br>Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs<br>Personal identifying information, such as your hair or eye colour or your parents’ names<br>Your medical records |

This personal data is required to enable us to provide our service to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

## How your personal data is collected

We collect most of this information from you, direct or via our secure online client portal. However, we may also collect information:

- from publicly accessible sources;
- directly from a third party such as:
  - sanctions screening providers;
  - credit reference agencies;
  - client due diligence providers;

- from a third party with your consent such as:
  - your bank, building society, 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 may use ‘cookies’ on our website
- via our information technology (IT) systems such as:
  - case management, document management and time recording systems;
  - reception logs;
  - automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, email and instant messaging systems;

## How and why we use your personal data

Under data protection law, we can only use your personal data if we have a proper reason for doing so, such as:

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

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (‘process’) your personal data for and our reasons for doing so:

| <b>What we use your personal data for:</b>  | <b>Our reasons:</b>  |
|---|--|
| To provide legal services to you  | For the performance of our contract with you or to take steps at your request before entering into a contract  |
| Conducting checks to identify you and verify your identity<br>Screening for financial and other sanctions or embargoes<br>Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business | To comply with our legal and regulatory obligations  |
| Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory and professional bodies  | To comply with our legal and regulatory obligations  |
| Ensuring business policies are adhered to   | For our legitimate interests or those of a third party say 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 or those of a third party, for example, to be as efficient as we can so we can deliver the best service for you at the best price                                 |
| Ensuring the confidentiality of commercially sensitive information  | For our legitimate interests or those of a third party to protect our intellectual property and other commercially valuable information<br>To comply with our legal and regulatory obligations |
| Statistical analysis to help us manage our practice   | For our legitimate interests or those of a third party   |

| <b>What we use your personal data for:</b>   | <b>Our reasons:</b>  |
|--|--|
| Preventing unauthorised access and modifications to our systems  | For our legitimate interests or those of a third party; to prevent and detect criminal activity that could be damaging for us and for you<br>To comply with our legal and regulatory obligations   |
| Updating and enhancing client records  | For the performance of our contract with you or to take steps at your request before entering into a contract<br>To comply with our legal and regulatory obligations<br>For our legitimate interests or those of a third party to make sure that we can keep in touch with you about existing and new services |
| Statutory returns  | To comply with our legal and regulatory obligations  |
| Ensuring safe working practices, staff administration and assessments  | To comply with our legal and regulatory obligations<br>For our legitimate interests or those of a third party; to make sure we are following our own internal procedures so we can deliver the best service to you   |
| Marketing our services to:<br>—existing and former clients;<br>—third parties who have previously expressed an interest in our services;<br>—third parties with whom we have had no previous dealings. | For our legitimate interests or those of a third party; to promote our business to existing and former clients   |
| Credit reference checks via external credit reference agencies   | For our legitimate interests to ensure you are likely to be able to pay for our services   |
| External audits and quality checks   | For our legitimate interests to maintain our professional accreditations so we can demonstrate we operate at the highest standards<br>To comply with our legal and regulatory obligations  |

The above table does not apply to special category personal data, which we will only process with your explicit consent.

## Promotional communications

We may use your personal data to send you updates (by email, text message, telephone or post) about developments that might be of interest to you and/or information about our services, including exclusive offers, promotions or new services.

We have a legitimate interest in processing your personal data for promotional purposes (see above 'How and why we use your personal data'). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

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

You have the right to opt out of receiving promotional communications at any time by contacting us.

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

## Who we share your personal data with

We routinely share your personal data with:

- professional advisers who we instruct on your behalf or refer you to, for example, barristers, medical professionals, tax specialists or other experts;
- other third parties where necessary to carry out your instructions such as your mortgage provider, HM Land Registry, HM Revenue & Customs and Companies House;
- our insurers and brokers;
- external auditors;
- our banks;

- external service suppliers, representatives and agents that we use to make our business more efficient

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers relating to ensure they can only use your personal data to provide services to us and to you.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

We may also need to share some personal data with other parties, such as potential buyers of some or all of our business or during internal re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

We will not share your personal data with any other third party.

## Where your personal data is held

Information 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 EEA'.

## How long your personal data will be kept

We will keep your personal data after we have finished advising or acting for you. We will do so for one of these reasons:

- to respond to any questions, complaints or claims made by you or on your behalf;
- to show that we treated you fairly;
- to keep records required by law.

We will not retain your data for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of data.

When it is no longer necessary to retain your personal data, we will delete it.

## Transferring your personal data out of the EEA

To deliver services to you, it is sometimes necessary for us to share your personal data outside the European Economic Area (EEA):

- with you and our service providers located outside the EEA;
- if you are based outside the EEA;
- where there is an international dimension to the matter in which we are advising you.

These transfers are subject to special rules under European and UK data protection law.

We will ensure any transfer complies with data protection law and all personal data will be secure. Our standard practice is to use standard data protection contract clauses which have been approved by the European Commission.

## 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  |
| To be forgotten           | The right to require us to delete your personal data—in certain situations   |
| Restriction of processing | The right to require us to restrict processing of your personal data in some circumstances   |
| 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:<br>—at any time to your personal data being processed for direct marketing;<br>—in certain other situations to our continued processing of your personal data     |

If you would like to exercise any of those rights, please email, call or write to our Data Protection Officer; and

- let us have enough information to identify you;
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and
- 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, 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 information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place 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

We hope that our Data Protection Officer can resolve any query or concern you may raise about our use of your information. The [General Data Protection Regulation](#) also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone: 0303 123 1113.

## Changes to this privacy policy

This privacy policy was published on 22<sup>nd</sup> April 2018.

## How to contact us

Please contact our Data Protection Officer by post, email or telephone if you have any questions about this Data and Privacy Policy or the information, we hold about you.

Our contact details are shown below:

| Our contact details  | Our Data Protection Officer's contact details  |
|--|--|
| Suite 8 Normanby Gateway<br>Lysaghts Way<br>Scunthorpe<br>North Lincolnshire<br>DN15 9YG | C Farmery<br>e-mail: <a href="mailto:christopher.farmery@ocglegal.co.uk">christopher.farmery@ocglegal.co.uk</a><br>t: 0044 (0) 1724 840400 |

## **Do you need extra help?**

If you would like this policy in another format (for example audio, large print, braille) please contact us (see 'How to contact us' above).