

# Evans Employment Law Limited – Privacy Notice

This Privacy Notice applies with effect from 25 May 2018.

## 1. Who we are

1.1 Evans Employment Law Limited (“we” or “us”) is a limited liability company (registered in England and Wales with number 07422384) providing English law professional services in UK to UK and overseas clients. Our registered office is at 73 Cleveland Gardens, London SW13 0AJ.

1.2 We are:

- (a) authorised and regulated by the Solicitors Regulation Authority;
- (b) responsible for the [www.evansemployment.co.uk](http://www.evansemployment.co.uk) website;
- (c) for the purposes of the General Data Protection Regulation EU 2016/679 (“GDPR”) and UK data protection, the controller in respect of the processing described in this Privacy Notice; and
- (d) registered with the UK Information Commissioner’s Office (Registration Number Z2483983).

## 2. The categories of personal data we collect

2.1 We may collect the following categories of personal data about you or (in relation to organisations) about your representatives, officers, shareholders, members, employees or other staff members or others connected to your business:

- (a) name and contact information such as home and / or business address, email address and telephone number;
- (b) identity and biographical information including nationality, date of birth, tax status, passport / national identity card details and country of domicile, employment, employment history and other CV details, job title and role, educational profile, interests and other information relevant to our provision of professional services;
- (c) information in relation to financial circumstances such as income, expenditure, assets and liabilities, sources of wealth, as well as bank account details and other information necessary for processing payments and for fraud prevention purposes;
- (d) an understanding of goals and objectives and other information provided to us in connection with our provision of professional services; and/or
- (e) information about our meetings with you.

2.2 Our provision of professional services may also require us to process special category data (including data relating to racial or ethnic origin, political opinions, religious beliefs, trade union membership, health and sexual life) and / or data relating to criminal convictions and offences (together “sensitive personal data”).

## 3. How that personal data is collected

3.1 We may collect this personal data or it may be provided to us through various means including from information:

- (a) you provide to us when you meet us;

- (b) about you but provided to us by your organisation, agents, advisers, intermediaries or custodians of your assets;
- (c) provided to us by our clients;
- (d) you communicate to us by telephone, post, email or other forms of electronic communication. In this respect, we may monitor, record and store any such communication;
- (e) collected when you complete (or we complete on your behalf) client engagement formalities;
- (f) drawn from publicly available sources or from third parties, for example when we need to conduct background checks about you; and / or
- (g) collected otherwise in the normal course of providing professional services.

3.2 We intend the personal data which we hold to be accurate and current. Where relevant personal information changes we request you to notify us of that so we may update our records.

#### **4. Our basis for processing your personal data and how we use that personal data**

4.1 How we use your personal data will depend on whether you are a client, a representative of a client, a business contact, someone whose personal data we necessarily process as part of our provision of professional services, or otherwise. We may process personal data for the following purposes:

- (a) providing a proposal to you or your organisation in relation to the professional services we offer and for client engagement purposes (including the carrying out of background checks);
- (b) providing professional services to you and / or our clients (including legal research and advice, and associated advisory services);
- (c) managing our relationship with you and / or our clients (including billing, financial management and debt collection), for record-keeping purposes and more generally for the proper operation of our business;
- (d) dealing with any complaints or feedback you or our clients may have;
- (e) monitoring and improving the performance and effectiveness of our services;
- (f) any other purpose for which you or others provide us with your personal data;
- (g) seeking advice on our rights and obligations, such as where we require our own legal advice, and to exercise and defend our legal rights;
- (h) compliance with our legal and regulatory obligations, such as anti-money laundering laws (which may include the carrying out of background checks and retention of a record of such checks), data protection laws and tax reporting requirements, and / or to assist with investigations by police and / or other competent authorities (where such investigation complies with relevant law) and to comply with Court orders;
- (j) safeguarding the security of our systems and communications and ensuring business continuity; and / or
- (k) for security purposes generally.

4.2 We may process personal data for any of the purposes set out above where one (or more) of the following lawful processing grounds applies:

- (a) processing necessary to perform a contract with you or one of our clients, or to take steps at your request before entering into a contract with you;
- (b) processing necessary for us to comply with our legal obligations;
- (c) processing necessary for our legitimate interests (including the operation of our business and the provision of professional services) or those of any client/relevant third party, unless those legitimate interests are overridden by your interests / fundamental rights or freedoms; and / or
- (d) you have consented to the processing in question.

4.3 Where we process sensitive personal data, other lawful processing grounds may apply, such as that the processing is necessary for the establishment, exercise or defence of legal claims (for example to protect and / or defend our property or rights, or those of our clients) or for reasons of substantial public interest; or where you have given us your explicit consent.

## **5. Who we may share your data with**

5.1 We will keep all information we hold about you or related to your business confidential but we may share personal data with others either with your consent or in certain other circumstances:

- (a) with your organisation;
- (b) with our client in the particular matter;
- (c) with your other professional advisers and any / or third parties we engage to assist in providing our professional services, such as lawyers (including barristers), other professional services firms, IT and other consultants, translators and / or postal service providers and couriers, or with intermediaries to whom we introduce you or one of our clients;
- (d) with third party service providers who provide business services to us, such as shared service centres, and with providers of anti-money laundering services and background checks, for processing in accordance with our instructions;
- (e) with our own legal and professional services providers / insurers, where appropriate; and / or
- (f) Courts and other authorities in connection with the enforcement or defence of legal rights and provision of our professional services.

## **6. Transfer and processing of your personal data outside the European Economic Area**

6.1 Our provision of professional services may require us to transfer personal data to countries outside the European Economic Area which may not provide the same level of data protection as within it.

6.2 We ensure that any such transfer meets the requirements of GDPR, for example because it is necessary for the provision of our professional services to you or for the establishment, exercise or defence of legal claims; or is otherwise subject to prescribed safeguards such as model clauses approved by the European Commission.

## **7. How long we will hold your personal data for**

7.1 We will retain your personal data for as long as is necessary to fulfil the purposes set out in this Privacy Notice.

7.2 In many cases this will mean that we shall retain your personal data for the same period as we retain your files or a copy of your files. Usually this will not be less than 16 years from the date

that the relevant matter came to an end. In addition, we shall retain information obtained to meet our obligations under the anti-money laundering regulations for at least 5 years following the end of our business relationship with you.

7.3 Longer retention periods may be appropriate where, for example, specific legal or public interest archival reasons apply.

## **8. Your rights**

8.1 Under GDPR you have the right to:

- (a) obtain access to, and copies of, the personal data we hold about you and information about how we process it;
- (b) require us to correct any inaccuracies in the personal data we hold about you;
- (c) require, in certain circumstances, erasure of your personal data;
- (d) require us, in certain circumstances, to restrict our data processing activities;
- (e) obtain from us the personal data you have provided to us in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller;
- (f) object to our use of your personal data based on our legitimate interests, on grounds relating to your specific situation;
- (g) withdraw your consent, where our use of your personal data is based on that consent; and
- (h) complain to the Information Commissioner's Office, which can investigate compliance with data protection law and has enforcement powers, if you are not satisfied with how we are processing your personal data.

8.2 Please contact us in writing if you would like to action any of your rights above. You should note that these rights are not absolute, and we may be entitled (or required) to refuse requests where exceptions apply.

## **9. Our communications**

9.1 We may use your contact details to send you (electronically) briefings or newsletters. We do so on the basis of our legitimate interests or your consent (as appropriate to the communication in question). You can always unsubscribe from these mailings by sending a response to us with the message 'Unsubscribe' or by contacting us to explain your preference.

9.2 We do not use mailing list management / marketing software and we do not use cookies on our website.

## **10. Changes to this Privacy Notice**

We may update this Privacy Notice in line with changes to how we process personal data. We will publish any new version of the Privacy Notice on our website and, where appropriate, will provide you with a copy.

## **11. How to contact us**

If you have any queries about this Privacy Notice or how we process your personal data, you please contact us at [dfe@evansemployment.co.uk](mailto:dfe@evansemployment.co.uk) or by post at Evans Employment law Limited, 73 Cleveland Gardens, London SW13 0AJ.