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## MLP LAW LTD – CLIENT PRIVACY NOTICE

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### What is the purpose of this document?

MLP Law Ltd (“MLP”) is committed to protecting the privacy and security of your personal information.

This Privacy Notice describes how we collect and use personal information about you during and after your professional relationship with us, in accordance with the General Data Protection Regulation (“GDPR”).

MLP is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this Privacy Notice.

It is important that you read this notice, together with any other Privacy Notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

### Data Protection Principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

### The kind of information we hold about you

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

There are “special categories” of more sensitive personal data which require a higher level of protection.

We may collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.

- Gender.
- Marital status and dependants.
- Next of kin and emergency contact information.
- National Insurance number
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date.
- Location of employment or workplace.
- Copy of driving licence.
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Employment records (including job titles, work history, working hours, training records and professional memberships).
- Compensation history.
- Credit card information, bank account and payment details.
- Disciplinary and grievance information.
- Attendance and absence information.
- CCTV footage and other information obtained through electronic means.
- Information about your use of our information and communications systems.
- Photographs.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Trade union membership.
- Information about your health, including any medical condition, health and sickness records.
- Genetic information and biometric data.
- Information about criminal convictions and offences.

### **How is your personal information collected?**

We collect personal information about clients and prospective clients through their enquiries and instructions to us, either directly from them or via third parties.

## How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you to provide you with our services.
2. Where we need to comply with a legal obligation.
3. 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.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

## Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to perform our contract with you to provide you with our services and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below. We have indicated below the purpose or purposes for which we are processing or will process your personal information, as well as indicating which categories of data are involved.

- Providing you with our professional advice;
- Reviewing your legal position, rights and obligations;
- Contacting third parties on your behalf to carry out your instructions;
- Equality and diversity monitoring; and
- Receiving feedback on the services we provide.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

## If you fail to provide personal information

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you to provide our services (such as carrying out your instructions), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

## Change of purpose

We will only use your personal information 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 we need to use your personal information 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 information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **How we use particularly sensitive personal information**

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with your explicit written consent.
2. Where we need to carry out our legal obligations.
3. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme.
4. Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public. We may also process such information about members or former members in the course of legitimate business activities with the appropriate safeguards.

### **Our obligations**

We will use your particularly sensitive personal information in the following ways:

- We will use information about your physical or mental health, or disability status, to ensure your health and safety in our premises and/or to make appropriate adjustments to the premises.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful we meet our obligations in relation to equality and diversity.

### **Do we need your consent?**

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

### **Automated decision-making**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.

2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

### **Data Sharing**

We may have to share your data with third parties, including third-party service providers.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

### **Why might you share my personal information with third parties?**

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

### **Which third-party service providers process my personal information?**

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out by third-party service providers: IT services, legal advice, archiving and banking transactions.

### **How secure is my information with third-party service providers?**

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **When might you share my personal information with third parties?**

Solicitors are under a professional and legal obligation to keep the affairs of clients confidential. This obligation however is subject to Money Laundering Regulations that have placed solicitors under a legal duty in certain circumstances to disclose information to the National Crime Agency. Where a solicitor knows or suspects that a transaction on behalf of a client involves money laundering, the solicitors may be required to make a money laundering disclosure. If this happens, we may not be able to inform you that a disclosure has been made.

We may also disclose your information for the following reasons:

- as required by our professional regulators or by law;
- to our auditors and external assessors who monitor our files;
- to our bankers to facilitate payments on your behalf;
- to your bankers in order to carry out our due diligence;
- to other legal advisors in order for them to conduct due diligence in relation to a business or property transaction;
- to trusted third parties or our business partners;
- to our professional indemnity insurers;
- to any external providers of administration services used by us. This includes, and is not limited to, Cloud Services such as Office365 (and its constituent applications incorporated from time to time, its automated services such as automated task applications and AI such as Cortana and other productivity applications), our secure Citrix Sharefile (and any other cloud storage portal we or others involved in your matter may use from time to time), and electronic signature providers (DocuSign and other providers we may use from time to time); or
- to any person, authorised by our regulator, who acquires or receives our business for the purposes of carrying on conduct of your matter(s).

The Proceeds of Crime Act 2002 also requires us to take action and notify the relevant authorities if we have knowledge or reasonable suspicion of any form of criminal conduct. We must report any client suspected of criminal activity and may not be able to tell any such client that we are reporting them. In such circumstances, we are also likely to have to stop acting for the client in question. A failure on our part to comply with these obligations could result in a criminal conviction for the solicitor with conduct of the client matter in question.

In complying with our obligations under the Proceeds of Crime Act 2002, we may be required to spend time addressing issues arising for you and dealing with the relevant regulatory authorities in this area. Any such time spent will be charged to you in the same manner as any other work undertaken in relation to your case.

We reserve the right to ask for the production of any documents and other evidence as are necessary to comply with our obligations in respect of Money Laundering Regulations

### **Transferring information outside the EU**

We may transfer the personal information we collect about you to countries outside the EU in order to perform our contract with you, provided there is an adequacy decision by the European Commission in respect of those countries. This means that the countries to which we transfer your data are deemed to provide an adequate level of protection for your personal information.

### **Data Security**

We have put in place measures to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **Data Retention**

### **How long will you use my information for?**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer client of MLP Law Ltd we will retain and securely destroy your personal information in accordance with applicable laws and regulations.

## **Rights of access, correction, erasure and restriction**

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

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

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to

establish its accuracy or the reason for processing it.

- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Company in writing.

### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such 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 the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Company. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **Data Protection Officer**

We have appointed a data protection officer (DPO)/data privacy manager to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO/data privacy manager.

If you have any concerns about our use of your personal information, you can make a complaint to us directly. You also 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.

### **The ICO's address:**

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

**Helpline number:** 0303 123 1113

**ICO website:** <https://www.ico.org.uk>

### **Changes to this Privacy Notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.



