

## STERLING WINSHAW SOLICITORS PRIVACY POLICY

We take your privacy very seriously. Please read this 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 supervisory authorities if you have a complaint.

This privacy policy does not apply to any third-party websites that may have links to our own website.

Clients of this firm should read this policy alongside our general terms and conditions, which provide further information on confidentiality.

### Who are we and what do we do?

**STERLING WINSHAW SOLICITORS LTD** is a **COMPANY LIMITED BY SHARES** authorised and regulated by the Solicitors Regulation Authority under number **635673**.

We collect, use and are responsible for certain personal data about you. When we do so we are subject to the UK General Data Protection Regulation (UK GDPR). We are also subject to the EU General Data Protection Regulation (EU GDPR) in relation to services we offer to individuals and our wider operations in the European Economic Area (EEA).

Our services and website are not aimed specifically at children, who are usually represented by their parents or guardians. If you are a child and you want further information about how we might use your data, please contact us (see '**How to contact us**' below).

### Key terms

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

We, us, our	STERLING WINSHAW SOLICITORS LTD, <i>together with any trading name or names that may be more familiar to the client.</i>
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 Genetic data Biometric data (where used for identification purposes) Data concerning health, sex life or sexual orientation
Data subject	The individual who the personal data relates to

### Personal data we collect about you

The table below sets out the personal data we will or may collect in the course of providing services to you.

Personal data we will collect	Personal data we may collect depending on why you have instructed us
<p>Your name, address and telephone number</p> <p>Information to enable us to check and verify your identity, eg your date of birth or passport details</p> <p>Electronic contact details, eg your email address and mobile phone number</p> <p>Information relating to the matter in which you are seeking our advice or representation</p> <p>Information to enable us to undertake a credit or other financial checks on you</p> <p>Your financial details so far as relevant to your instructions, eg the source of your funds if you are instructing on a purchase transaction</p> <p>Information about your use of our IT, communication and other systems, and other monitoring information[, eg if using our secure online client portal]</p> <p>[Insert next]</p>	<p>Your National Insurance and tax details</p> <p>Your bank and/or building society details</p> <p>Details of your professional online presence, eg LinkedIn profile</p> <p>Details of your spouse/partner and dependants or other family members, eg if you instruct us on a family matter or a will.</p> <p>Your employment status and details including salary and benefits, eg if you instruct us on matter related to your employment or in which your employment status or income is relevant.</p> <p>Your nationality and immigration status and information from related documents, such as your passport or other identification, and immigration information, eg if you instruct us on an immigration matter.</p> <p>Details of your pension arrangements, eg if you instruct us on a pension matter or in relation to financial arrangements following breakdown of a relationship</p> <p>Your employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances, eg if you instruct us on matter related to your employment or in which your employment records are relevant.</p> <p>Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs, eg if you instruct us on discrimination claim.</p> <p>Your trade union membership, eg if you instruct us on a discrimination claim or your matter is funded by a trade union.</p> <p>Your medical records, eg if we are acting for you in a personal injury claim.</p> <p>Details of your online social presence, eg if you instruct us in relation to an array of legal matters including, but not limited to, criminal, family and employment matters.</p>

We collect and use this personal data to provide services to you. If you do not provide personal data we ask for, it may delay or prevent us from providing those services.

**How your personal data is collected**

We collect most of the above information from you. However, we may also collect information:

- from publicly accessible sources, eg Companies House or HM Land Registry;
- directly from a third party, eg:
  - sanctions screening providers;
  - credit reference agencies;
  - client due diligence providers;
- from a third party with your consent, eg:
  - your bank or building society, another financial institution or advisor;
  - your employer and/or trade union, professional body or pension administrators;
  - your doctors, medical and occupational health professionals;
- via our website—we use cookies and similar technologies on our website (for more information on cookies, please see our cookie policy)
- via our information technology (IT) systems
  - via our case management, document management and time recording systems;
  - from door entry systems and reception logs;
  - through 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 personal data**

Under data protection law, we can only use your personal data if we have a proper reason, eg:

- you have given consent—where we need your consent, we will ask for it separately of this privacy policy and you can withdraw consent at any time;
- to comply with our legal and regulatory obligations;
- to fulfil our contract with you or take steps at your request before entering into a contract; or
- for our legitimate interests or those of a third party.

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

We will carry out an assessment when relying on legitimate interests, to balance our interests against your own. You have the right to object to processing based on legitimate interests. We must then stop the processing unless we can demonstrate compelling legitimate grounds which override your interests, rights and freedoms or the processing is required to establish, exercise or defend legal claims.

The table below explains what we use your personal data for and why.

<b>What we use your personal data for</b>	<b>Our reasons</b>
Providing services to you	To fulfil our contract with you or to take steps at your request before entering into a contract

<b>What we use your personal data for</b>	<b>Our reasons</b>
Preventing and detecting fraud against you or us	For our and/or your legitimate interests, ie to minimise fraud that could be damaging for you and/or us
Conducting checks to identify our clients and verify their identity Screening for financial and other sanctions or embargoes Other activities necessary to comply with professional, legal and regulatory obligations that apply to our business, eg under health and safety law or rules issued by our professional regulator	Depending on the circumstances: —to comply with our legal and regulatory obligations —for our legitimate interests
To enforce legal rights or defend or take legal proceedings	Depending on the circumstances: —to comply with our legal and regulatory obligations —for our legitimate interests, ie to protect our business, interests and rights
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	Depending on the circumstances: —to comply with our legal and regulatory obligations —for our legitimate interests
Ensuring internal business policies are complied with, eg policies covering security and internet use	For our legitimate interests, ie 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, ie to be as efficient as we can so we can deliver the best service to you at the best price
Ensuring the confidentiality of commercially sensitive information	Depending on the circumstances: —for our legitimate interests, ie to protect trade secrets and other commercially valuable information —to comply with our legal and regulatory obligations
Statistical analysis to help us manage our business, eg in relation to our financial performance, client base, services range or other efficiency measures	For our legitimate interests, ie to be as efficient as we can so we can deliver the best service to you at the best price
Protecting the security of systems and data used to provide services, preventing unauthorised access and changes to our systems	Depending on the circumstances: —for our legitimate interests, ie to prevent and detect criminal activity that could be damaging for you and/or us —to comply with our legal and regulatory obligations
Updating and enhancing client records	Depending on the circumstances:

What we use your personal data for	Our reasons
	<p>—to fulfil our contract with you or to take steps at your request before entering into a contract</p> <p>—to comply with our legal and regulatory obligations</p> <p>—for our legitimate interests, eg making sure we can keep in touch with our clients about existing and new services</p>
Statutory returns	To comply with our legal and regulatory obligations
Ensuring safe working practices, staff administration and assessments	<p>Depending on the circumstances:</p> <p>—to comply with our legal and regulatory obligations</p> <p>—for our legitimate interests, eg to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you</p>
Marketing our services [and those of selected third parties] to existing and former clients and third parties	<p>Depending on the circumstances:</p> <p>—for our legitimate interests, ie to promote our business</p> <p>—consent</p>
Credit reference checks via external credit reference agencies	For our legitimate interests, ie to ensure our clients are likely to be able to pay for our services
External audits and quality checks, eg for ISO, [Lexcel ]or Investors in People accreditation and the audit of our accounts [ <i>to the extent not covered by ‘activities necessary to comply with legal and regulatory obligations’ above</i> ]	<p>Depending on the circumstances:</p> <p>—for our legitimate interests, ie to maintain our accreditations so we can demonstrate we operate at the highest standards</p> <p>—to comply with our legal and regulatory obligations</p>
<p>To share your personal data with members of our group and third parties that will or may take control or ownership of some or all of our business (and professional advisors acting on our or their behalf) in connection with a significant corporate transaction or restructuring, including a merger, acquisition, asset sale or in the event of our insolvency</p> <p>In such cases information will be anonymised where possible and only shared where necessary</p>	<p>Depending on the circumstances:</p> <p>—to comply with our legal and regulatory obligations</p> <p>—in other cases, for our legitimate interests, ie to protect, realise or grow the value in our business and assets</p>

Where we process special category personal data (see above ‘**Key terms**’), we will also ensure we are permitted to do so under data protection laws, eg:

- we have your explicit consent;

- the processing is necessary to protect your (or someone else's) vital interests where you are physically or legally incapable of giving consent;
- the processing is necessary to establish, exercise or defend legal claims; or
- the processing is necessary for reasons of substantial public interest.

## **Marketing**

We may use your personal data to send you updates (eg by email, text message, telephone, post or social media channels) about our services, including exclusive offers, promotions or new services.

We have a legitimate interest in using your personal data for marketing purposes (see above '**How and why we use your personal data**'). This means we do not usually need your consent to send you marketing information. Where this is not the case, we will always ask for your consent.

In all cases, you have the right to opt out of receiving marketing communications at any time by:

- contacting us at [marketing@sterlingwinshaw.com](mailto:marketing@sterlingwinshaw.com);
- using the 'unsubscribe' link in emails or 'STOP' number in texts; or
- updating your marketing preferences on our preference centre.

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

We will always treat your personal data with the utmost respect and never sell it to or share it with other organisations outside the STERLING WINSHAW SOLICITORS LTD/RS RESOLUTION SERVICES LTD group for marketing purposes.

## **Who we share your personal data with**

We routinely share personal data with:

- companies within the STERLING WINSHAW SOLICITORS LTD AND RS RESOLUTION SERVICES LTD groups;
- third parties we use to help deliver our services to you, eg providers of our case management and finance system, IT service providers including cloud service providers such as data storage platforms, shared service centres and financial institutions in connection with invoicing and payments;
- third party external advisors or experts engaged in the course of providing services to you, eg *barristers, tax advisors, local counsel and technology service providers such as eDiscovery and document review platforms*;
- companies providing services for money laundering checks and other crime prevention purposes and companies providing similar services, including financial institutions and credit reference agencies;
- other third parties we use to help promote our business, eg marketing agencies;

- third parties approved by you, eg social media sites you choose to link your account to or third party payment providers;
- our insurers and brokers;
- our banks;

We only allow those organisations to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We ensure all outsourcing providers operate under service agreements that are consistent with our legal and professional obligations, including in relation to confidentiality.

We or the third parties mentioned above may occasionally also share personal data with:

- our and their external auditors, eg in relation to the audit of our or their accounts, in which case the recipient of the information will be bound by confidentiality obligations
- our and their professional advisors (such as lawyers and other advisors), in which case the recipient of the information will be bound by confidentiality obligations
- law enforcement agencies, courts, tribunals and regulatory bodies to comply with our legal and regulatory obligations
- other parties that have or may acquire control or ownership of our business (and our or their professional advisers) in connection with a significant corporate transaction or restructuring, including a merger, acquisition or asset sale or in the event of our insolvency—usually, information will be anonymised but this may not always be possible and the recipient of any of your personal data will be bound by confidentiality obligations

If you would like more information about who we share our data with and why, please contact us (see **'How to contact us'** below).

### **Where your personal data is held**

Personal data may be held at our offices and those of our group companies, 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 UK. For more information, including on how we safeguard your personal data when this occurs, see below: **'Transferring your personal data abroad'**.

### **How long your personal data will be kept**

We will not keep your personal data for longer than we need it for the purpose for which it was collected or as required by law.

As a general rule, we will keep your personal data for at least six years from the conclusion of your matter, in case you, or we, need to bring or defend any complaints or claims. However, different retention periods apply for different types of personal data and for different services, eg:

- we will need to keep information relating to a trust for the duration of that trust and for a minimum of seven years thereafter;

- in probate matters where there is a surviving spouse or civil partner, personal data may be retained until the survivor has died, to deal with the transferable inheritance tax allowance;
- wills and related documents may be kept indefinitely;
- deeds related to unregistered property may be kept indefinitely as they evidence ownership;
- where the matter involves a child, we will keep information for an appropriate period after the child turns 18;

Following the end of the of the relevant retention period, we will delete or anonymise your personal data.

### **Transferring your personal data abroad**

It is sometimes necessary for us to transfer your personal data to countries outside the UK and EEA. This may include countries which do not provide the same level of protection of personal data as the UK or EEA.

We will transfer your personal data outside the UK and EEA only where:

- the UK government or European Commission has decided the recipient country ensures an adequate level of protection of personal data (known as an adequacy decision); or
- there are appropriate safeguards in place (eg standard contractual data protection clauses published or approved by the relevant data protection regulator), together with enforceable rights and effective legal remedies for you; or
- a specific exception applies under data protection law.

You can contact us (see ‘**How to contact us**’ below) if you would like a list of countries benefiting from a UK or European adequacy decision or for any other information about protection of personal data when it is transferred abroad.

### **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
Erasure (also known as the right 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 certain situations, eg if you contest the accuracy of the data
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: —at any time to your personal data being processed for direct marketing (including profiling); —in certain other situations to our continued processing of your personal data, eg processing carried out for our legitimate interests unless we demonstrate compelling legitimate grounds for the processing which override your interests or for establishing, exercising or defending legal claims
Not to be subject to automated individual decision making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you
The right to withdraw consent	If you have provided us with a consent to use your personal data you have a right to withdraw that consent at any time You may withdraw consents by [ <i>insert details as relevant depending on consents</i> ] Withdrawing consent will not affect the lawfulness of our use of your personal data in reliance on that consent before it was withdrawn

If you would like to exercise any of those rights, please:

- complete a data subject request form—available on our website or by contacting the head/main office; or
- email, call or write to us—see below: ‘**How to contact us**’; and
- provide enough information to identify yourself (*eg your full name, address and client or matter reference number*) and any additional identity information we may reasonably request from you;
- let us know what right you want to exercise and the information to which your request relates.

### **Keeping your personal data secure**

We have implemented appropriate technical and organisational measures to keep your personal data confidential and secure from unauthorised access, use and disclosure. We limit access to your personal data to those who have a genuine business need to access it. Those processing your personal data will do so only in an authorised manner and are subject to a duty of confidentiality. We regularly test our systems and are ISO 27001 certified, which means we follow top industry standards for information security.

We require our business partners, suppliers and other third parties to implement appropriate security measures to protect personal data from unauthorised access, use and disclosure. We also have procedures 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 required to do so.

### **How to complain**

Please contact us if you have any queries or concerns about our use of your personal data (see below ‘**How to contact us**’). We hope we will be able to resolve any issues you may have. You may also have the right to lodge a complaint with the Information Commissioner (the UK data protection regulator) and/or the relevant supervisory authority in your jurisdiction. For more information, please see our data protection complaints policy or please contact us if you would like further information.

### **Changes to this privacy policy**

This privacy policy was published on 1 January 2024 and last updated on 1 January 2024.

We may change this privacy policy from time to time. When we do we will publish the updated version on our website and ask for your consent to the changes if legally required.

### **Updating your personal data**

We take reasonable steps to ensure your personal data remains accurate and up to date. To help us with this, please let us know if any of the personal data you have provided to us has changed, eg your surname or address—see below ‘**How to contact us**’.

### **How to contact us**

#### **Individuals in the UK**

You can contact us and/or our Data Protection Officer by post, email or telephone if you have any questions about this privacy policy or the information we hold about you, to exercise a right under data protection law or to make a complaint.

Our contact details are shown below:

<b>Our contact details</b>	<b>[Our Data Protection Officer’s contact details]</b>
<b>STERLING WINSHAW SOLICITORS LTD of 104 ATLAS BUSINESS CENTRE, OXGATE LANE, LONDON NW2 7HJ compliance@sterlingwinshaw.com 020 3643 8962</b>	<b>STERLING WINSHAW SOLICITORA LTD of 104 ATLAS BUSINESS CENTRE, OXGATE LANE, LONDON NW2 7HJ rasheed.sarpong@sterlingwinshaw.com 020 3643 8962</b>

#### **Individuals in the EEA**

We have appointed Janina White to be our data protection representative within the EEA. Their contact details are j.white@imd.co.uk.

Individuals within the EEA can contact us direct (see above) or contact our European representative.

#### **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).