

MARKETING AND COMMUNICATIONS PRIVACY & FAIR PROCESSING NOTICE

What is the purpose of this document?

Davis Blank Furniss LLP 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 that we hold for Marketing and Communications Purposes, in accordance with the General Data Protection Regulation (GDPR).

Davis Blank Furniss LLP 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.

We may update this notice from time to time.

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.

This notice will also bind any successor to the legal practice of Davis Blank Furniss LLP which processes your personal data in the future.

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

- **Identity data** such as full name(s), title, and gender
- **The name(s) of your** client partner and/or other **contact(s)** at our firm
- **Personal contact data** such as address(es), landline and mobile telephone numbers, and work and/or personal email addresses.

- **Marketing and Communications data** including your preferences for receiving newsletters, and events and seminar invitations from us, your communication preferences (how you will be contacted), records of your receipt of newsletters and attendance at events/seminars and any related requests or feedback received from you.

How is your personal information collected?

We collect personal information about you in the course of providing our legal services to you (or to an entity you are an officer, trustee or owner of) or by asking for information from you so that we can communicate with you. We may sometimes collect additional information from third parties including your appointed accountants, or financial advisors.

We may collect additional personal information in the course of providing the newsletters, seminars and events (for example on feedback forms if these are not submitted anonymously) throughout the period of our relationship.

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 it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests; or
2. With your express consent.

Situations in which we will use your personal information

The situations in which we will process your personal information are listed below. We have indicated 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 and whether any third parties may receive the same.

Purpose	Data Categories	Grounds for processing <i>(additional ground(s) for processing special category data in italics)</i>	Third party disclosure?
Marketing and communications – newsletters, seminar invites etc.	Identity data Names of DBF contacts Personal contact data Marketing and Communications data	Our Legitimate Interests Consent	To our online communications/ email database provider. Possibly to other professionals in the case of jointly held seminars or events.

The above grounds for processing may overlap and there may be more than one ground which justifies our use of your personal information.

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 where this is required 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 have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We do not envisage any requirement to process such information save where you make a specific dietary request of us at an event or seminar where food is provided, in which case we will rely upon your specific consent to process the same.

Automated decision-making

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.

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. The following activities are carried out by third-party service providers in relation to the data categories set out in this notice and processed for Marketing and Communications purposes: provision of online communications and cloud-based database solutions.

How secure is my information with third-party service providers and other entities?

All our third-party service providers 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.

What about other third parties?

We may share your personal information with other third parties, for example in the context of other jointly held seminars or events with other professionals or our possible merger, sale or restructuring. We may also need to share your personal information with a regulator or to otherwise comply with the law.

International Transfers of Data

We will only transfer your personal information outside the EU with your informed consent, at your specific request or where such transfer is reasonably required for our legitimate business purposes and where the transferee either resides in a territory with an EU adequacy declaration or has contractually agreed to comply with data protection provisions affording your personal data protections equivalent to the protections given under EU law.

At present the only international transfers of your data anticipated are to Campaign Monitor PTY Limited which is a global provider of email communications solutions and cloud-based contact databases and which has entered into contractual data protection provisions with us complying with the EU standard clauses in this area.

Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

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. Details of these measures may be obtained from Carole Burleigh.

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. We would usually seek to refresh Marketing and Communications consent from you annually but will in any event not hold it for more than 3 years before it is deleted automatically unless you have refreshed or given us a new consent in the meantime. 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 our client we will retain and securely destroy your personal information in accordance with our data retention policy and 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 working 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 Carole Burleigh 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 Carole Burleigh. 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 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 data privacy manager. You 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.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will advise you 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.

If you have any questions about this privacy notice, please contact Carole Burleigh either by email at carole.burleigh@dbf-law.co.uk or by any other method.