

1. ABOUT US

- 1.1. Our company is Forde Campbell Ltd, but we trade as 'Forde Campbell LLC'. We're registered in Northern Ireland with company number NI611989 and our registered address is at 1 – 3 Lombard Street, Belfast, BT1 1RB. Any reference in this notice to **we, us, our** is a reference to our company.
- 1.2. We are a law firm and we provide legal services to clients based in different jurisdictions across the globe (our **Services**).

2. ABOUT THIS NOTICE

- 2.1. The nature of the services we provide means that we will process Personal Data (that is information relating to an individual who can be identified). The Personal Data we hold may be about you or other people. This notice is intended primarily to let our clients know how we'll manage the Personal Data they give us or which we collect in connection with the services we are providing to them.
- 2.2. We might need to change this privacy notice from time to time. We will publish our privacy notice on our website (available at www.fordelaw.com) and do our best to update you directly if we think the changes might affect you. Please do keep an eye on our notice before sending us any Personal Data.
- 2.3. If you have any questions about the policy feel free to send us an email to dpo@fordelaw.com.

3. WHO DO WE HOLD PERSONAL DATA ABOUT?

- 3.1. Typically we will hold Personal Data about 4 distinct groups of people in connection with our Services:
 - (i) **Prospective Clients:** that is anyone who isn't already a Client and who we think might be interested in receiving our Services or who has expressed an interest in our Services;
 - (ii) **our Clients:** that is companies, limited liability partnerships (and their directors, members or key contact) or individuals who have been set up as a client to receive legal services from us;
 - (iii) **Third Parties:** for convenience we're using this term to mean any third parties who might be involved in a case we're running, a commercial deal we're negotiating, or a company we're setting up, but with whom we have no direct relationship; and
 - (iv) **Professional Contacts:** such as other lawyers, barristers, expert witnesses, accountants or other advisors with whom we work or come into contact from time to time.
- 3.2. Owing to the nature of our Services, we may need to share information (which is likely to involve Personal Data) with other people– for more on when we might need to do this, have a look at paragraph 8 below. This notice only deals with *our* use of Personal Data. People with whom we share any data are not bound by this privacy notice.

4. WHAT PERSONAL DATA DO WE COLLECT AND WHERE DO WE GET IT FROM?

Prospective Clients

- (i) **Information which a Prospective Client gives us directly.** This is likely to include:
- Name and business contact details
 - Information about their business
 - Information about their legal requirements
 - Any other information which they send us by email (whether requests for quotations or services or otherwise)
 - Information relating to any queries we receive
 - Marketing preferences.
- (ii) **Information we collect about Prospective Clients.** This might be:
- in the form of attendance notes taken during a preliminary meeting or call
 - searches that we carry out on registers available to the public (such as Companies House) relating to our Clients' business, directors and shareholder.

Our Clients

- (i) **Information our Clients give us directly.** This is likely to include:
- KYC and anti-money laundering information relating to our Clients' key contacts and directors and members (which may include the residential addresses of directors)
 - Information about the business of our Clients
 - Information relating to our Clients' legal requirements (which may include payment details for transferral of funds)
 - Any other information which our Client sends us by email
 - Information relating to complaints or queries from our Client
 - Marketing preferences.
- (ii) **Information we collect about our Clients.** This might be:
- in the form of attendance notes taken during a meeting or call
 - searches that we carry out on publically available registers (such as Companies House) relating to our Clients' business, directors and shareholders
 - information relating to services provided and billing
- (iii) **Information which we receive from third parties.** This is likely to be:
- Information from Third Parties or Professional Contacts obtained in connection with the legal services we are carrying out on our Client's behalf.
 - information received concerning Clients in emails or letters

Third Parties

- (i) **Primarily we will hold Personal Data relating to Third Parties because they have been identified by our Client.** This may include:
- Names and contact details
 - Any other information relevant to the legal services we are providing to our Client.

- (ii) **We may also collect information about Third Parties in connection with the legal services we are providing to our Client.** This might include:
- Names and contact details
 - Any other information relevant to the legal services we are providing to our Client.

Professional Contacts

- (i) **Information which is provided directly by the Professional Contacts:** usually-
- Name and business contact details
 - Other business related information such as the services they provide and their costs for doing so and payment details for transferral of funds
 - Any other information which they provide us with in connection with their services (whether to us or on behalf of our Client and whether by email or otherwise) including opinions, evidence and advice
 - Marketing preferences
- (ii) **Information we collect ourselves.** This might be:
- From public online sources, such as on the individual (or their business) website or professional registers
 - Attendance notes from any meetings which the Professional Contact attends.
- (iii) **Information which we receive from other people.** This might be:
- Information our Client gives us
 - Recommendations from other Professional Contacts

5. CONTROLLER OR PROCESSOR?

- 5.1. Owing to the nature of our Services, we are acting as a **Controller** in respect of any Personal Data we hold. This means that we make decisions about what types of Personal Data we need to collect and retain, and we have discretion about how it should best be used in order to provide our Services and run our business effectively.

6. HOW WE USE PERSONAL DATA AND OUR LAWFUL BASES FOR DOING SO

Prospective Client Data

- 6.1 We may use Personal Data about Prospective Clients as set out in the table below.

PRIVACY NOTICE OF FORDE CAMPBELL LLC

PURPOSE/ ACTIVITY	DESCRIPTION	LAWFUL BASIS	CONDITION FOR SPECIAL CATEGORY	CRIMINAL OFFENCE DATA
To provide you with information about our services	If you have asked us to do so, we may use the details you give us to provide you with a quote for our services	Consent; taking steps to enter into a contract	Establishment, exercise or defence of legal claims	Unlikely to be processed as part of this activity
Unsolicited Marketing	If you have agreed that we may do so, from time to time we might send you an email about events we are running or legal updates which we think might be of interest to you. We will always include an opt-out in any such emails.	Consent	Unlikely to be processed as part of this activity	Unlikely to be processed as part of this activity

Client Data

6.2 We may use Personal Data relating to our Clients as set out in the table below.

6.3 Where we have relied on legitimate interests as our lawful basis, we have carried out a legitimate interests assessment and have concluded that: (i) the processing is necessary to protect our legitimate interest (running our law firm); (ii) that such use is likely to be reasonably expected by our Client and is not likely to be invasive of their privacy, and; (iii) as the processing is intended to safeguard the running of the firm, the processing is likely to be aligned with the interests of our Client (in receiving the best services possible).

PRIVACY NOTICE OF FORDE CAMPBELL LLC

PURPOSE/ ACTIVITY	DESCRIPTION	LAWFUL BASIS	CONDITION FOR SPECIAL CATEGORY	CRIMINAL OFFENCE DATA
To provide you with services	This includes setting you up as a client, collecting and retaining information to assist with the services you have requested, contacting you by email or phone and may include transferring your data in accordance with paragraph 8.	Necessary for the performance of the contract for the provision of our services or taking steps necessary to enter into a contract.	Establishment, exercise or defence of legal claims	Processing is necessary for purpose of (i) legal proceedings; (ii) obtaining legal advice; (iii) establishing or defending legal rights
To meet our own legal or regulatory requirements	This might include collecting and retaining information for anti-money laundering purposes and any other reporting obligations which we may have to the Law Society Northern Ireland, the Serious Fraud Office, the police or the court.	Necessary to comply with our legal obligations.	Unlikely to be processed	Substantial Public Interest (AML/ Preventing Fraud) Personal Data in the Public Domain
Administration and Dispute Resolution	We may also need to process Personal Data about you to meet our internal administration requirements, to facilitate payments and manage credit control, as well as for matters such as dispute resolution.	Legitimate Interest	Unlikely to be processed	Unlikely to be processed
Marketing	From time to time we might send you an email about events we are running or legal updates which we think might be of interest to you. We will always include an opt-out in any such emails.	Legitimate Interest	Unlikely to be processed	Unlikely to be processed

Third Parties

6.4 We may use Personal Data relating to Third Parties as set out in the table below.

6.5 Where we have relied on legitimate interests as our lawful basis, we have carried out a legitimate interests assessment and have concluded that: (i) the processing is necessary to protect our legitimate interest of assisting our Client to establish or defend their legal rights; (ii) that given the nature of our services (and the fact that it is likely that we will contact the Third Party in connection with those services) processing of this nature is likely to be reasonably expected by the Third Party; and (iii) that since the ability to seek advice from a legal advisor is a service that the Third Party may similarly want to avail of, the processing is unlikely to be disproportionate to the rights and freedoms of the Third Party.

PRIVACY NOTICE OF FORDE CAMPBELL LLC

PURPOSE/ ACTIVITY	DESCRIPTION	LAWFUL BASIS	CONDITION FOR SPECIAL CATEGORY	CRIMINAL OFFENCE DATA
To provide our services to our client	This may include researching information about you which is relevant to our Client's case; retaining information about you in the file we have opened for our Client; contacting you by email, post or telephone in connection with our Client's case; and transferral of data in accordance with paragraph 8.	Legitimate Interest	Establishment, exercise or defence of legal claims	Processing is necessary for purpose of (i) legal proceedings; (ii) obtaining legal advice; (iii) establishing or defending legal rights

Professional Contacts

6.6 We may use Personal Data relating to Professional Contacts as set out below.

6.7 Where we have relied on legitimate interests as our lawful basis, we have carried out a legitimate interests assessment and have concluded that: (i) the processing is necessary to protect our legitimate interest of assisting our Client to establish or defend their legal rights; (ii) that since the data is likely to be limited to publically available business contact and details, the Professional Contact would reasonably expect the processing to take place and (iii) that since the Professional Contact is similarly involved in the provision of professional services which may be related to our Client or a Third Party, the processing is unlikely to be damaging or invasive of the Data Subject's rights and freedoms.

PURPOSE/ ACTIVITY	DESCRIPTION	LAWFUL BASIS	CONDITION FOR SPECIAL CATEGORY	CRIMINAL OFFENCE DATA
To provide our services to our client	This may include researching information about you on behalf of our Clients; retaining information about you in the file we have opened for our Client; contacting you by email, post or telephone in connection with our Client's case.	Legitimate Interest Consent	Unlikely to be processed	Unlikely to be processed

7. SPECIAL CATEGORIES OF DATA

7.1 EU data protection law recognises that some Personal Data may be particularly sensitive and deserving of an additional layer of protection. That is:

- (i) **Special Categories** of data - details about an individual's race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about health and genetic and biometric data.
- (ii) **Data relating to criminal convictions**

- 7.2 Our law firm specialises in commercial law and commercial litigation. We don't provide advice in relation to personal injury claims or medical negligence, nor do we practice criminal law. As such we are unlikely to process a high level of data which falls within the definition of Special Categories or which relates to criminal convictions. However, in some cases (for instance, if we are advising on an employment claim or in connection with our own anti-money laundering or KYC processes) it is possible that the data we process relating to our Client or Third Parties may include data which falls within these categories.
- 7.3 Anywhere we think we might process special categories of data or criminal offence data we have set out the schedule 1 condition which we are relying upon to justify the processing. You can find this in the tables at paragraph 6 immediately above.

8. DISCLOSURE OF PERSONAL DATA

8.1 We may disclose Personal Data that we hold to other parties in the following circumstances:

- (i) to our employees and third parties who are contracted to help us to provide our Services and our business. We may transfer Personal Data to processors for the following services:
- Email Provider
 - Case Management Provider
 - Virtual Data Room
 - Bank
 - Marketing Database Provider

Any such employees and/or processors contracted by us will be subject to strict contractual requirements only to use Personal Data in accordance with our privacy notice. If you would like more information about third party processors used by us, please contact us at dpo@fordelaw.com.

- (ii) if we are under a duty to disclose or share Personal Data in order to comply with any legal obligation, or in order to enforce or apply our terms of use and other agreements or to protect the operation of our website, or the rights, property, or safety of us, our customers, or others.
- (iii) to any buyer if we sell, transfer or merge parts of our business or our assets. If a change happens to our business, then the new owners will only be entitled to use Personal Data in accordance with the provisions set out in this privacy notice.

8.2 We may also disclose Personal Data in the following circumstances:

PRIVACY NOTICE OF FORDE CAMPBELL LLC

DATA	RECIPIENT	REASON FOR DISCLOSURE
Client Data and Third Party Data	Law Society NI	Legal requirements
Client Data and Third Party Data	Companies House	As part of the provision of our Services
Client Data	Trade Mark Registries	As part of the provision of our Services
Client Data and Third Party Data and Professional Contacts	Court	As part of the provision of our Services
Client Data and Third Party Data	Professional Contacts	As part of the provision of our Services. Credit control.
Client Data	SFO, police, HMRC	If we are lawfully required to do so to report a suspected crime.

9. WHAT SECURITY PROCEDURES DO WE HAVE IN PLACE?

9.1 We are aware how important it is for us to keep the data we hold about our Clients and other parties secure and have implemented the following processes and procedures:

- (a) Our employees are required to hold any data which they handle on our behalf securely and confidentially and are contractually bound to do so.
- (b) We only use data processors who are contractually bound to implement adequate security measures in relation to their processing and transferral of the Personal Data they handle on our behalf.
- (c) We have implemented a security policy and trained our staff in best practice so that when they are handling Personal Data as part of their employment they are conscious of the privacy management and security requirements we have implemented.

9.2 There are some steps you can take to help make sure that your data is protected. For example:

- (a) If you are sending us AML documentation, redact any unnecessary information (particularly if it includes financial data – we don't want to see, collect or store this for AML purposes).
- (b) If you are contacting us with a query or complaint, only ever give us your work details rather than your personal contact details.
- (c) If you are sending any financial details or sensitive information, consider sending it in separate emails or encrypted, password protected documents.

10. WHERE DO WE STORE THE PERSONAL DATA WE COLLECT?

10.1 We store the Personal Data we hold in different locations including:

- on our premises
- in archive storage (which is managed by a third party)
- in our case management software (which is hosted by a third party)
- in our emails (which are supported by a third party)
- in our virtual data room (which is hosted by a third party)

10.2 We store any Personal Data we hold within the EEA and only use processors with servers in the EEA.

10.3 We will only transfer Personal Data outside the EEA if:

- the territory has been deemed by the European Commission to implement adequate safeguards;
- appropriate measures (such as model contract clauses) have been put in place;
- the company has registered with an EU recognised framework such as the EU-US Privacy Shield;
- the transfer is necessary for the performance of the contract with the Data Subject in question – for example, if our Client, a Third Party, a Professional advisor, register or body is based outside the EEA and it is necessary to contact them in connection with our Services to our Client; or
- if we have obtained explicit consent from the Data Subject.

11. OUR RETENTION POLICIES

11.1. Our retention policies are as follows:

TYPE OF DATA	RETENTION POLICY
Client Files + transaction bibles (live)	Hard copy retained for lifespan of case after which they are archived
Client Files + transaction bibles (archived)	10 years after file closed
Transaction data	7 years to ensure that we have sufficient records from an accounting and tax perspective
Data stored on virtual data room	Retained for duration of deal + 1 year
Emails	Retained for life of case with automatic archiving after 5 years
Marketing Lists	Retained until opt out with update and rectification procedure carried out every 3 years

12. RIGHTS OF A DATA SUBJECTS

12.1 Data Subjects generally have the following rights in respect of Personal Data relating to them which can be enforced against whoever is the **Controller**. This will be us in respect of any Personal Data we hold which is covered by this Privacy Notice.

- (a) **Right to be informed:** the right to be informed about what Personal Data the Controller collects and stores about you and how it's used.
- (b) **Right of access:** the right to request a copy of the Personal Data held, as well as confirmation of:
 - (i) the purposes of the processing;
 - (ii) the categories of personal data concerned;
 - (iii) the recipients to whom the personal data has/will be disclosed;
 - (iv) for how long it will be stored; and
 - (v) if data wasn't collected directly from you, information about the source.
- (c) **Right of rectification:** the right to require the Controller to correct any Personal Data held about you which is inaccurate or incomplete.
- (d) **Right to be forgotten:** in certain circumstances, the right to have the Personal Data held about you erased from the Controller's records.
- (e) **Right to restriction of processing:** the right to request the Controller to restrict the processing carried out in respect of Personal Data relating to you. You might want to do this, for instance, if you think the data held by the Controller is inaccurate and you would like to restrict processing until the data has been reviewed and updated if necessary.
- (f) **Right of portability:** the right to have the Personal Data held by the Controller about you transferred to another organisation, to the extent it was provided in a structured, commonly used and machine-readable format.
- (g) **Right to object to direct marketing:** the right to object where processing is carried out for direct marketing purposes (including profiling in connection with that purpose).
- (h) **Right to object to automated processing:** the right not to be subject to a decision based solely on automated processing (including profiling) which produces legal effects (or other similar significant effects) on you. We do not carry out any automated decision-making process.

12.2 If you want to avail of any of these rights, you should contact us immediately at dpo@fordelaw.com. If you do contact us with a request, we will also need evidence that you are who you say you are to ensure compliance with data protection legislation.

12.3 Given the nature of the Services we provide, we may be able to rely on certain exemptions under the Data Protection Act 1998 and the Data Protection Act 2018. These exemptions may enable us to resist the disclosure of information in certain circumstances, and exempted from some notification obligations and some requests in respect of rectification.

12.4 We will confirm to you in writing to acknowledge receipt of any request we receive relating to your rights as a Data Subject, and we will let you know if we have complied with your request. If having, carried out an assessment, we believe we have an overriding reason for retaining the data, we will let you know why we have reached that conclusion.

13. WHAT HAPPENS IF YOU REQUEST US TO STOP PROCESSING PERSONAL DATA RELATING TO YOU?

13.1. We will deal with any request we receive from a Data Subject asking us to stop processing Personal Data relating to them on a case-by-case basis, to work out if we are legally required to comply with the request or if we have an overriding interest in continuing to process the data.

13.2. If we are relying on consent as our lawful basis for carrying out the processing, we will comply with any such request, and this will have no bearing on that individual's right to receive our Services. Currently, we only rely on consent for direct marketing to Prospective Clients.

14. DETAILS FOR QUESTIONS OR COMPLAINTS ABOUT HOW WE PROCESS PERSONAL DATA RELATING TO YOU

14.1 If you have any questions or concerns about how we are using Personal Data about you, please contact our Data Protection Officer immediately at our registered address (see paragraph 1.1 above) or by email to dpo@fordelaw.com. If we are processing Personal Data about you on behalf of our Client, we will need to pass your complaint to our Client – we will only do so with your consent.

14.2 If you wish to make a complaint about how we have handled Personal Data about you, you may lodge a complaint with the Information Commissioner's Office by following this link: <https://ico.org.uk/concerns/>.

Last updated: 23-05-2018.