



CLIENT PRIVACY POLICY

1 INTRODUCTION

- 1.1 Clearlake takes your privacy very seriously. Please read this Client 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 in the event you have a complaint.
- 1.2 Please note that this privacy policy is for our clients. If you are not a client but are accessing our website and would like information in relation to how we collect, store, use and share your Personal Data through our website, please review our website privacy policy which is available for inspection at www.clearlake.law/privacy.
- 1.3 If you are based in the United Kingdom (“UK”), you are a UK citizen or the Personal Data you control relates to citizens of the UK, then when we use your Personal Data, we are regulated under the retained European Union law version of the European Union’s General Data Protection Regulation as applied in the United Kingdom (the “UK GDPR”) and the Data Protection Act 2018 (the “DPA”).
- 1.4 If you are based in the European Union (“EU”), you are an EU citizen or the Personal Data you control relates to citizens of the EU, then when we use your Personal Data, we are regulated under the European Union’s General Data Protection Regulation (“EU GDPR”).
- 1.5 In either case, we are responsible as a ‘controller’ or ‘processor’ of that Personal Data for the purposes of the UK GDPR, the DPA and/or the EU GDPR. Our use of your Personal Data, or Personal Data that you control, is subject to your instructions, the UK GDPR, the DPA, the EU GDPR, other relevant UK and EU legislation and our professional duty of confidentiality.
- 1.6 Clearlake Law is registered with the UK Information Commissioner's Office (ICO) as a data controller under registration number **ZB257573**.
- 1.7 Clearlake Technology is registered with the UK Information Commissioner's Office (ICO) as a data controller under registration number **ZB362546**.
- 1.8 Clearlake International is registered with the UK Information Commissioner's Office (ICO) as a data controller under registration number **ZB699283**.

2 KEY TERMS

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

“Clearlake”, “we” or “us”	any of Clearlake Law, Clearlake International and/or Clearlake Technology. This should be clear from your Clearlake contract and can be clarified by us on request
“Clearlake Law”	Clearlake Law LLP, a limited liability partnership incorporated under the laws of England & Wales with registered number OC438411 and with is registered address at 20 St. Andrew Street, London, United Kingdom, EC4A 3AG
“Clearlake International”	Clearlake International LLP, a limited liability partnership incorporated under the laws of England & Wales with registered number OC452577 and with is registered address at 20 St. Andrew Street, London, United Kingdom, EC4A 3AG

“Clearlake Technology”	Clearlake Technology Limited, a company incorporated under the laws of England & Wales with registered number 13698287 and with is registered address at 124 City Road, London, United Kingdom, EC1V 2NX
“Data Protection Clearlake”	our data protection function, which has responsibility for our data protection obligations
“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 and biometric data; and data concerning health, sex life or sexual orientation

3 PERSONAL DATA WE COLLECT ABOUT YOU

- 3.1 We, or our sub-contractors, will or may collect the following Personal Data of you and/or your directors, employees and agents in the course of advising and/or acting for you:
- (a) name, address and telephone number;
 - (b) information to enable us to check and verify identity, e.g. date of birth or passport details;
 - (c) electronic contact details, e.g. email address and mobile phone number;
 - (d) information relating to the matter in which you are seeking our advice or representation;
 - (e) information to enable us to undertake a credit or other financial checks;
 - (f) financial details, so far as relevant to your instructions; and
 - (g) information about use of our IT, communication and other systems, and other monitoring information, e.g. if using our “Contact Us” web form or online call scheduling applications.
- 3.2 We, or our sub-contractors, may collect the following Personal Data of you and/or your directors, employees and agents depending on why you have instructed us:
- (a) Personal details such as your date of birth, National Insurance and tax details;
 - (b) Identity information such as your passport, driving licence, utility bills or national Identity card;
 - (c) bank and/or building society details;
 - (d) Credit history and records relating to you, your partner or anyone else you are financially linked with (we obtain this information from credit reference and fraud prevention agencies);
 - (e) Family, lifestyle financial and social circumstances (where provided by you or those instructing us);
 - (f) Financial details such as your income and information about your bank accounts;
 - (g) Employment/ self-employed details; and
 - (h) details of professional online presence.
- 3.3 This Personal Data is required to enable us to provide our service to you. If you do not provide Personal Data we ask for, it may delay or prevent us from providing services to you.

4 HOW YOUR PERSONAL DATA IS COLLECTED

4.1 We collect most of this information from you directly or via our website. However, we may also collect information:

- (a) from publicly accessible sources, e.g. Online, Companies House or HM Land Registry;
- (b) directly from a third party, e.g.:
 - (1) sanctions screening providers;
 - (2) credit reference agencies;
 - (3) client due diligence providers;
 - (4) our outsourced call answering service (provided by Callitech Limited, trading as “Money Penny”, registered in England and Wales with company number 03894972 whose registered office is at Western Gateway, Wrexham, Wales LL13 7ZB);
- (c) from a third party with your consent, e.g.:
 - (1) your bank or building society, another financial institution or advisor;
 - (2) consultants and other professionals we may engage in relation to your matter;
 - (3) your employer and/or trade union, professional body or pension administrators;
- (d) via our website, we use cookies on our website (for more information on cookies, please see our cookies policy available at www.clearlake.law/cookie-policy);
- (e) via our information technology (“IT”) systems, e.g.:
 - (1) case management, document management and time recording systems;
 - (2) automated monitoring of our websites and other technical systems, such as our computer networks and connections, access control systems, communications systems, email and instant messaging systems

5 HOW AND WHY WE USE YOUR PERSONAL DATA

5.1 Under data protection law, we can only use your Personal Data if we have a proper reason for doing so, for example:

- (a) to comply with our legal and regulatory obligations;
- (b) for the performance of our contract with you or to take steps at your request before entering into a contract;
- (c) for our legitimate interests or those of a third party; or
- (d) where you have given explicit consent

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

5.3 Listed below is an explanation of what we use (process) your Personal Data for and our reasons for doing so:

Use of your Personal Data	Reasons for processing
To provide legal or related services to you	For performance of our contract with you or to take steps at your request before entering into a contract

Use of your Personal Data	Reasons for processing
Conducting checks to identify our clients and verify their identity	To comply with our legal and regulatory obligations
Screening for financial and other sanctions or embargoes	To comply with our legal and regulatory obligations
Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, e.g. policies covering security and internet use	For our legitimate interests or those of a third party (e.g. to make sure we are following our own internal procedures so we can deliver the best service to you)
Operational reasons, such as internal financing, improving efficiency, training and quality control	For our legitimate interests or those of a third party (e.g. 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	For our legitimate interests or those of a third party (e.g. to protect our intellectual property and other commercially valuable information) To comply with our legal and regulatory obligations
Statistical analysis to help us manage our practice, e.g. in relation to our financial performance, client base, work type, or other efficiency measures.	For our legitimate interests or those of a third party (e.g. to be as efficient as we can so we can deliver the best service to you at the best price)
Preventing unauthorised access and modifications to systems	For our legitimate interests or those of a third party (e.g. to prevent and detect criminal activity that could be damaging for us and for you) To comply with our legal and regulatory obligations
Updating and enhancing client records	For performance of our contract with you or to take steps at your request before entering into a contract To comply with our legal and regulatory obligations For our legitimate interests or those of a third party (e.g. making sure that we can keep in touch with our clients about existing and new services)

Use of your Personal Data	Reasons for processing
Statutory returns	To comply with our legal and regulatory obligations
Ensuring safe working practices, staff administrations and assessments	To comply with our legal and regulatory obligations For our legitimate interests or those of a third party (e.g. to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you)
Marketing our services to: (a) existing and former clients; (b) third parties who have previously expressed an interest in our services; and (c) third parties with whom we have had no previous dealing.	For our legitimate interests or those of a third party (e.g. to promote our business to existing and former clients)
Credit reference checks via external credit reference agencies	For our legitimate interests or those of a third party (e.g. for credit control and to ensure our clients are likely to be able to pay for our services)
External audits and quality checks and the audit of our accounts	For our legitimate interests or those of a third party (e.g. to maintain our accreditations so we can demonstrate we operate at the highest standards) To comply with our legal and regulatory obligations
Transfer to any entity which may acquire rights in us.	For our legitimate commercial interests
For any other purpose to which you agree	With your consent

5.4 The above tabular list does not apply to Special Category Personal Data, which we will only process with your explicit consent.

6 PROMOTIONAL COMMUNICATIONS

6.1 We may use your Personal Data to send you updates (by email, text message, telephone or post) about legal developments that might be of interest to you and/or information about our services, including exclusive offers, promotions or new services or products.

6.2 We have a legitimate interest in processing your Personal Data for promotional purposes (see above "*How and why we use your personal data*"). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

6.3 We will always treat your Personal Data with the utmost respect and never sell or share it with other organisations for marketing purposes.

6.4 You have the right to opt out of receiving promotional communications at any time by:

- (a) contacting us by email on office@clearlake.law; or
- (b) contacting our switchboard on +44 (0) 204 432 4464.

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

7 WHO WE SHARE YOUR PERSONAL DATA WITH

7.1 We routinely share Personal Data with:

- (a) your other professional advisors with whom we may communicate in the course of our work with you and/or professional advisers who we instruct on your behalf or refer you to, e.g. overseas local counsel, tax advisors or other experts;
- (b) other third parties where necessary to carry out your instructions, e.g. Companies House;
- (c) our group companies and affiliated entities;
- (d) credit reference agencies;
- (e) our insurers and brokers;
- (f) external auditors and external assessment bodies;
- (g) our banks;
- (h) external service suppliers, representatives and agents that we use to make our business more efficient, e.g. cloud storage providers, contact & calendar synchronisation providers, online client due diligence vendors, legal technology providers, telephone call answering services and outsourced administrative and document production providers;
- (i) regulatory authorities; and
- (j) other governmental departments such as HMRC, Companies House and HM Land Registry.

7.2 We only allow our service providers to handle your Personal Data if we are sure they will take appropriate measures to protect your Personal Data. We also impose contractual obligations on service providers to ensure they can only use your Personal Data to provide services to us and to you.

7.3 We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

8 WHERE YOUR PERSONAL DATA IS HELD

8.1 Information 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*).

8.2 Some of these third parties may be (but are typically not) based outside the United Kingdom and/or the European Economic Area. For more information, including on how we safeguard your Personal Data when this occurs, see below: *Transferring your Personal Data out of the EEA*.

9 HOW LONG YOUR PERSONAL DATA WILL BE KEPT

9.1 We will keep your Personal Data after we have finished advising or acting for you. We will do so for one of these reasons:

- (a) to respond to any questions, complaints or claims made by you or on your behalf;

- (b) to show that we treated you fairly; and
 - (c) to keep any records required by law.
- 9.2 Usually our retention periods for holding your Personal Data is 6 years after the end of our business relationship with you, or the end of your matter which ever comes later.
- 9.3 CCTV footage where you attend our registered office may be retained in accordance with the building manager's policies and retention periods.
- 9.4 We will only retain your Personal Data for as long as it is necessary to fulfil the purposes outlined in this policy or the purposes of which you have otherwise been informed. Different retention periods apply for different types of data. Further details on this are available in our Data Retention and Destruction Policy, which is available on request.
- 9.5 When it is no longer necessary to retain your Personal Data, we will delete or anonymise it.
- 9.6 If we are relying on consent as the reason for processing your Personal Data, we will retain the data for as long as the customer relationship lasts or until you withdraw your consent. If you have revoked your consent, we may nevertheless retain certain Personal Data for the period required in order for us to meet our legal obligations and defend ourselves in legal disputes. If we have not received your consent for processing, the Personal Data will only be retained to the extent we are permitted to do so by law.

10 TRANSFERRING YOUR PERSONAL DATA OUT OF THE EEA

- 10.1 To deliver services to you, it may sometimes be necessary for us to share your Personal Data outside the UK and the European Economic Area (EEA), e.g.:
- (a) with your and our service providers located outside the UK and EEA;
 - (b) if you are based outside the UK and EEA; and
 - (c) where there is an international dimension to the matter in which we are advising you.
- 10.2 These transfers of Personal Data outside the UK and EEA are subject to special rules under European and UK data protection law.
- 10.3 These non-UK and non-EEA countries do not have the same data protection laws as the UK and countries in the EEA. We will, however, ensure the transfer complies with data protection laws. Our standard practice is to use standard data protection contractual clauses which have been approved by the European Commission and the United Kingdom's Information Commissioner. To obtain a copy of those clauses please contact Data Protection Clearlake (see '*How to contact us*' below).
- 10.4 If you would like further information in relation to anything else in this policy, please contact Data Protection Clearlake (see '*How to contact us*' below).

11 YOUR RIGHTS

- 11.1 You have the following rights, which you can exercise free of charge:
- (a) *Right of Access* - the right to be provided with a copy of your personal data
 - (b) *Right of Rectification* - the right to require us to correct any mistakes in your personal data
 - (c) *Right to be Forgotten* - the right to require us to delete your Personal Data (in certain situation)
 - (d) *Restriction of Processing* - the right to require us to restrict processing of your Personal Data in certain circumstances, e.g. if you dispute the accuracy of the data

- (e) *Data Portability* - the right to receive the Personal Data you provided to us, in a structured, commonly used electronic format and/or transmit that data to a third party controller (in certain situations)
- (f) Right to Object:
 - (1) at any time to your Personal Data being processed for direct marketing (including profiling); and
 - (2) to our continued processing of your Personal Data where the processing is carried out for the purpose of our legitimate interests, unless we can show compelling reasons why our legitimate interests override your individual rights or we are processing your Personal Data to establish/defend/exercise our legal rights
- (g) *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

11.2 For further information on each of those rights, including the circumstances in which they apply, please contact us or see the Guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under the General Data Protection Regulation on the ICO's website. If you would like to exercise any of those rights, please:

- (a) email, call or write to us (please see below: *How to contact us*); and
- (b) let us have enough information to identify you (e.g. your full name, address and client or matter reference number);
- (c) let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and
- (d) let us know what right you want to exercise and the information to which your request.

12 KEEPING YOUR PERSONAL DATA SECURE

- 12.1 We have appropriate security measures to prevent Personal Data from being accidentally lost or used or accessed unlawfully. We limit access to your Personal Data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.
- 12.2 We also have procedures in place 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 legally required to do so.
- 12.3 If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

13 HOW TO COMPLAIN

- 13.1 We hope that Data Protection Clearlake can resolve any query or concern you may raise about our use of your information.
- 13.2 The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or by calling: **0303 123 1113**. The EU GDPR also gives you right to lodge a complaint with a supervisory authority in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred.

14 CHANGES TO THIS PRIVACY POLICY

- 14.1 This privacy policy was last updated on 8 July 2024.
- 14.2 We may change this privacy policy from time to time and when we do we will inform you via updating the policy on our website. Please check our website regularly for any updates.

15 HOW TO CONTACT US

- 15.1 Please contact Data Protection Clearlake by post, email or telephone if you have any questions about this privacy policy or the information we hold about you.
- 15.2 Data Protection Clearlake's contact details are as follows:
 - (a) Email: office@clearlake.law
 - (b) Telephone: +44 (0) 204 432 4464
 - (c) Address: 20 St. Andrew Street, London, United Kingdom, EC4A 3AG