

Internal Privacy Notice

Human Resources | August 2021

About this document

This Privacy Notice explains how Farrer & Co collects, uses and shares your personal data, and your rights in relation to the personal data we hold. This Privacy Notice concerns our processing of the personal data of employees, partners, consultants and casual workers at the firm.

1. Who we are

Farrer & Co LLP is a limited liability partnership registered in England and has its registered office at 66 Lincoln's Inn Fields, London, WC2A 3LH. We are registered with the UK Information Commissioner's Office with registration number Z5587757 and are the controller of your personal data under the General Data Protection Regulation (the "GDPR") and related UK data protection law.

2. How we collect your information

2.1 We may collect your personal data in a number of ways, for example:

- (a) From the information you (or, for example, a recruitment agency on your behalf) provide to us when you interact with us before making an application to work for us, for example when you come for a meeting / interview, including when you apply for or attend a work experience placement with us;
- (b) When you submit a formal application to work for us, and provide your personal data in CVs, application forms and covering letters, etc.;
- (c) From third parties, for example from recruitment agencies, your previous or current employers and institutions of study, or from background checks providers, credit reference agencies or the Disclosure and Barring Service (DBS), where relevant, in order to verify details about you and / or your application to work for us;
- (d) During the course of your employment or other engagement with us, for example when you provide your contact details to us, when you or someone else completes paperwork regarding your performance appraisals, and in the course of fulfilling your employment more generally;
- (e) In various other ways as you interact with us during your time as a member of the firm, and afterwards, where relevant, for the various purposes set out below.

3. The types of information we collect

3.1 We may collect the following types of personal data about you (and your family members and 'next of kin', where relevant):

- (a) Contact and communications information, including:
 - (i) Your contact details (including email address(es), telephone numbers and postal address(es));

- (ii) Contact details (through various means, as above) for your family members, 'next of kin', and other relevant individuals;
 - (iii) Records of communications and interactions we have had with you;
- (b) Biographical, educational and social information, including:
 - (i) Your name, title, gender, nationality, date of birth and right to work in the UK;
 - (ii) Your image and likeness, including as captured in photographs taken for business purposes;
 - (iii) Details of your education and references from your institutions of study;
 - (iv) Lifestyle information and social circumstances;
 - (v) Your interests and extra-curricular activities;
- (c) Financial information, including:
 - (i) Your bank account number(s), name(s) and sort code(s) (used for paying your salary, where relevant and processing other payments, for example to pay you expenses);
 - (ii) Your tax status (including residence status);
 - (iii) Gift Aid declaration information, where relevant (for example, where we help you to administer donations to charity from your pre-taxed earnings);
- (d) Work related information, including:
 - (i) Details of your work history and references from your previous employer(s);
 - (ii) Your personal data captured in the work you produce while employed by or otherwise engaged to work for the firm;
 - (iii) Details of your professional activities and interests;
 - (iv) Your involvement with and membership of industry bodies and professional associations;
 - (v) Information about your employment and professional life after leaving the firm, where relevant (for example, where you have asked us to keep in touch with you); and
- (e) Any other information relevant to your employment or other engagement to work for us.

3.2 We may also collect special category data, and information about criminal convictions and offences (together “**sensitive personal data**”), including:

- (a) Information revealing your racial or ethnic origin;

- (b) Information revealing your political opinions, or religious or philosophical beliefs (for example, if you hold an external appointment or position which is recorded in our risk management systems);
- (c) Information concerning your health and medical conditions (for example, where required to monitor and record sickness absences, dietary needs, or to make reasonable adjustments to your working conditions or environment);
- (d) Information concerning your sex life and / or sexual orientation (for example, in the course of investigating complaints made by you or others, for example concerning discrimination); and
- (e) Information about certain criminal convictions or offences (for example, where this is necessary for due diligence purposes or compliance with our regulatory obligations);

where this is necessary for your employment or other engagement to work at the firm.

4. How we use your information

4.1 The purposes for which we may use the personal data (including sensitive personal data where applicable) we collect in connection with your employment or other engagement with us include:

- (a) Providing you with information about the firm and what it is like to work for us (where you have asked for this, most obviously before you have made a formal application to work for us);
- (b) Administering job applications, assessing your skills, qualifications and suitability for the job or role you have applied for, communicating with you about the recruitment process and, where relevant, offering you a job with us;
- (c) Checking you are legally entitled to work in the UK;
- (d) Carrying out due diligence and relevant regulatory checks on you during the application process for a role at the firm (and periodically while you are working for us), including by checking references in relation to your education and your employment history;
- (e) Once you are employed or engaged by us in any capacity, for the performance of the contract of employment (or equivalent agreement) between you and us;
- (f) Providing you with the information necessary for you to carry out your duties as an employee, or in whatever other capacity you are engaged by us;
- (g) To pay you and to administer benefits (including pensions) in connection with your employment or other engagement with us, and to reimburse appropriate expenses;
- (h) For tax purposes, including transferring it to hm revenue and customs to ensure that you have paid appropriate amounts of tax, and in respect of any gift aid claims, where relevant;
- (i) Contacting you or your family members, 'next of kin', for business continuity purposes, to confirm your absence from work, etc.;

- (j) Monitoring your performance in your work, including in performance appraisals;
- (k) Monitoring and recording emails and internet use in accordance with the firm's IT policies and for compliance with our legal obligations;
- (l) For security purposes, including by operating security cameras in various locations at our premises;
- (m) Promoting the firm to clients and others, including by publishing the work you produce while employed by or otherwise engaged to work for the firm, and by publishing your image and likeness in connection with your employment or engagement with us;
- (n) Planning events, including in connection with organising social engagements for members of the firm and clients;
- (o) For disciplinary purposes, where required;
- (p) For preventing and detecting crime, and to investigate complaints and grievances;
- (q) To comply with relevant regulatory obligations, on an ongoing basis;
- (r) Dealing with legal claims and requests, including those made under data protection law, or requests for disclosure by competent authorities;
- (s) Making travel arrangements, where required;
- (t) For other 'human resources'-related administrative purposes, for example to update you about changes to your terms and conditions of employment or engagement, where relevant, or changes to your pension arrangements, etc.;
- (u) Internal record-keeping, including the management of any member of the firm's feedback or complaints;
- (v) External and internal audit purposes.

4.2 We may process sensitive personal data, in particular for the purposes of:

- (a) Monitoring a member of the firm's physical or mental health or condition(s) in order to monitor and record sick leave and take decisions as to the individual's fitness for work;
- (b) Carrying out DBS checks (potentially thereby obtaining information about criminal convictions or offences) and for other due diligence purposes, compliance with our regulatory obligations or for the purposes of employment law;
- (c) Recording a member of the firm's racial or ethnic origin or religious or philosophical beliefs in order to monitor the firm's compliance with equal opportunities legislation.

5. The basis for processing your information

5.1 We may process your personal data for the above purposes because:

- (a) It is necessary for the performance of a contract with you (your employment contract or equivalent) or in order to take steps at your request prior to entering into such a contract;

- (b) It is necessary for our or a third party's legitimate interests. Our "legitimate interests" include our commercial interests in operating the firm in a professional, sustainable manner, in accordance with all relevant legal requirements and to review and better understand employee retention and attrition rates;
- (c) It is necessary to protect your or another person's vital interests (in certain limited circumstances, for example where you have a life-threatening accident or illness in the workplace and we have to process your personal data in order to ensure you receive appropriate medical attention);
- (d) It is necessary for the establishment, exercise or defence of legal claims (for example, to protect and defend our rights or property, and / or the rights or property of our clients and others); or
- (e) We have your specific or, where necessary, explicit consent to do so (in certain limited circumstances, for example where you provide details of your racial or ethnic origin, political opinions, or religious or philosophical beliefs so that we can monitor the firm's compliance with equal opportunities legislation).

5.2 Importantly, we also process your personal data for our compliance with our legal obligations. In this respect, we use your personal data for the following:

- (a) To exercise or perform any right or obligation conferred or imposed by law in connection with employment;
- (b) To meet our compliance and regulatory obligations, such as compliance with anti-money laundering laws, Solicitors Regulation Authority (SRA) requirements, health and safety obligations and tax reporting requirements;
- (c) For the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities.

6. Sharing your information with others

6.1 For the purposes referred to in this Privacy Notice and relying on the bases for processing as set out above, we will share your personal data with certain third parties, including third party service providers. We require third parties to maintain the security of your data and to process it in accordance with applicable data protection legislation. 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. We will disclose personal data to a variety of recipients including:

- (a) Other employees, agents and contractors where there is a legitimate reason for their receiving the information, including third parties where we have engaged them to process personal data on our behalf, for example the providers of background checks, as part of administering payroll services, the provision of benefits including pensions, etc.;
- (b) Internal and external auditors, and our legal advisers;

- (c) When the firm is legally required to do so (by a court, government body, law enforcement agency or other authority of competent jurisdiction), for example by HM Revenue and Customs;
- (d) Third parties and their advisers in the event of a possible or actual sale of merger of the firm's business or any part of it, subject to appropriate obligations of confidentiality.

6.2 We may also share information about you with other employers in the form of a regulatory reference, where we are required to do so in compliance with our legal obligations or relevant regulatory rules.

7. International data transfers

As a matter of course, we do not transfer your personal data outside of the UK or the European Economic Area. We may, however, do so on an *ad hoc* basis, for example where this is necessary for interaction with you, and you are located outside of the UK / EEA, or in connection with the provision of services to us by our service providers (subject always to confidentiality obligations). In such circumstances, we will put in place measures to provide appropriate safeguards for the confidentiality and security of your personal data.

8. How long your information is kept

- 8.1 Personal data relating to unsuccessful job applicants is deleted in accordance with the firm's retention policy, following the end of the application process.
- 8.2 For all members of the firm, subject to any other notices that we may provide to you, we may retain your personal data for a period of 16 years after your contract of employment (or equivalent agreement) has expired or been terminated.
- 8.3 However, some more basic information may be retained for longer than this, for record-keeping and historical purposes.

9. Your rights

- 9.1 Under the GDPR you have the following rights:
 - (a) To obtain access to, and copies of, the personal data that we hold about you;
 - (b) To require us to correct the personal data we hold about you if it is incorrect;
 - (c) To require us to erase your personal data in certain circumstances;
 - (d) To require us to restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal);
 - (e) To receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller; and
 - (f) To object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

- 9.2 Please note that the above rights are not absolute, and we may be entitled (or required) to refuse requests where exceptions apply.
- 9.3 If you have given your consent and you wish to withdraw it, please contact us using the contact details set out in section 11.2 below. Please note that where our processing of your personal data relies on your consent and where you then withdraw that consent, we may not be able to provide all or some aspects of our services to you and / or it may affect the provision of those services; and where your processing of your personal data does not rely on your consent, we may not be able to fulfil your request.

10. Changes to this Privacy Notice

We may update this Privacy Notice in line with changes to how we process personal data. We will publish any new version of the Privacy Notice on the intranet and, where appropriate, we will provide a copy to you.

11. Contact and complaints

- 11.1 If you are not satisfied with how we are processing your personal data, you can make a complaint to the Information Commissioner. You can find out more about your rights under data protection legislation from the Information Commissioner's Office website available at www.ico.org.uk.
- 11.2 If you have any queries about this Privacy Notice or how we process your personal data, or if you wish to exercise any of your rights under applicable law, you may contact us:
- (a) By email sent to dataprotection@farrer.co.uk;
 - (b) Through the HR team; or
 - (c) By post to Data Protection, Farrer & Co LLP, 66 Lincoln's Inn Fields, London, WC2A 3LH.