

Weightmans

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HR Privacy Policy



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1 Weightmans' Privacy policy

- 1.1 This privacy policy:
 - 1.1.1 has been implemented in compliance with our obligations under:
 - (a) Schedule 1 to the Data Protection Act 2018; and
 - (b) the General Data Protection Regulation ((EU) 2016/679) ('the GDPR') (and, following Brexit/UK GDPR, any implementation of the same into UK law);
 - 1.1.2 relates to individuals who are, or have previously been, employed or otherwise engaged with the firm as an employee, member, consultant, secondee, placement student or on work experience, and to individuals who apply to be so employed or engaged;
 - 1.1.3 if you are such an individual, explains how we use your personal information, with whom we share it and the choices that you can make regarding our use of information collected; and
 - 1.1.4 describes measures taken to protect security of information provided and how you can contact us about our privacy practices.
- 1.2 Please read this notice carefully to understand our views and practices regarding your personal information and how we will treat it.
- 1.3 "Weightmans" is the collective name and brand under which Weightmans LLP and Weightmans (Scotland) LLP provide legal and other services to clients. Weightmans ('we', and "us" and "our" shall be construed accordingly) is committed to protecting your information and respecting your privacy.
- 1.4 For the purpose of the GDPR/UK GDPR, we are registered as a controller with the Information Commissioner's Office (ICO). Our registration details are as follows:
 - (a) Weightmans LLP, number Z7388021
 - (b) Weightmans (Scotland) LLP, number ZA090557
 - (c) Weightmans (Ireland) Limited, number ZB54368
- 1.5 For both LLPs, our nominated Data Protection Officer is Sarbjit Nanuwa, who may be contacted at DPOcontact@weightmans.com or sarbjit.nanuwa@weightmans.com Our address for postal correspondence is 100 Old Hall Street, Liverpool L3 9QJ.

2 How we collect your personal information

We usually collect your personal information during our direct dealings with you, whether in person, online in response to surveys or other requests for information, or by post, telephone or email, but we may also collect information in other ways, including:

- 2.1 by your use of your work email and the firm's internet/intranet facilities and social media accounts; and
- 2.2 from employment agencies, job application portals, former employers, credit reference agencies and other background check providers.
- 2.3 The firm seeks information from third parties with your consent only.

3 Personal data

Subject to any additional permissions that may be required as specified in paragraph 4 below, there follow the permissions on which we are most likely to rely to process your personal data:

- 3.1 **[Permission Type A]:** for the performance of our (employment/membership/services/secondment/other) contract with you, or to take steps at your request prior to entering into such a contract; or

- 3.2 **[Permission Type B]**: to comply with legal obligations to which we are subject, such as obligations under laws relating to accounting, the environment, employment, health and safety, social security and taxation; or
- 3.3 **[Permission Type C]**: on occasion, to protect your vital interests, or those of another person; or
- 3.4 **[Permission Type D]**: for the purposes of our **legitimate interests**, which we will notify to you. We will be entitled to process your personal data for these purposes, provided that such interests are not overridden by your fundamental rights and freedoms. As you will see below, you may be entitled to challenge our right to process your data in reliance on our legitimate interests.

The “Permission Types” referred to above are cross-referenced below, under the heading “Why we collect your data and what we do with it”.

4 “Special category” data and data relating to criminal convictions

- 4.1 Some of the data that we collect about you is treated by the GDPR/UK GDPR as “special category” data and some relates to criminal convictions.
 - 4.1.1 **Special category data**: this includes data which reveal your racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, your genetic data (relating to your inherited or acquired genetic characteristics), your biometric data (resulting from technical processing relating to your physical, physiological or behavioral characteristics), data concerning your health and data concerning your sex life or sexual orientation.
 - 4.1.2 **Data relating to criminal convictions**: We may ask you to provide details of any offence of which you have been convicted, and of any prosecutions pending against you. Whilst such details are not defined as “special category” data, the law treats special category data and criminal conviction and offence data in a similar manner. Processing of personal data that relates to criminal convictions and offences may usually only be carried out under the control of official authority, but sections 10(4) and (5) of the Data Protection Act 2018 permit exceptions to this rule.
- 4.2 To process your special category data and criminal conviction and offence data, not only must we rely on at least one of the permissions set out in paragraph 3 above, we must also rely on an additional “special category” permission, of which the following are the most likely to be relevant:
 - 4.2.1 **[Permission Type E]**: for the purpose of performing or exercising the obligations or rights of either us (as controller) or you (as data subject) under employment law, social security law or social protection law. To process your data for this purpose, we are required to maintain for your benefit an explanatory policy, and this appears in Appendix A to this document; or
 - 4.2.2 **[Permission Type F]**: in respect of criminal conviction and offence data, if this is necessary to protect members of the public (including clients of the firm) against dishonesty, malpractice, incompetence and other failures to meet the standards expected of a member of Weightmans’ staff. To process your data for this purpose, we are required to maintain for your benefit an explanatory policy, and this appears in Appendix A to this document; or
 - 4.2.3 **[Permission Type G]**: if this is necessary in relation to any legal action that may arise between you and us; or
 - 4.2.4 **[Permission Type H]**: where the data concern your health, as necessary to assess your working capacity or the provision to you of health care, provided that such data will be processed by, or under the supervision of, a professional under a suitable obligation of professional secrecy; or

- 4.2.5 **[Permission Type I]**: where we use such data to ensure equality of opportunity or treatment between people: (i) of different racial or ethnic origin; (ii) holding different religious or philosophical beliefs; (iii) with different states of physical or mental health; or (iv) of different sexual orientation. To process your data for this purpose, we are required to maintain for your benefit an explanatory policy, and this appears in Appendix A to this document; or
- 4.2.6 **[Permission Type J]**: where necessary to make a determination of eligibility for, or of benefits payable under, an occupational pension scheme (although we cannot process such data for the purpose of taking measures or a decision with respect to a particular individual). To process your data for this purpose, we are required to maintain for your benefit an explanatory policy, and this appears in Appendix A to this document; or
- 4.2.7 **[Permission Type K]**: in “pseudonymised” form, such that the data can only be used to identify you when read in conjunction with other data which we maintain in a separate, secure database.
- 4.3 The “Permission Types” referred to above are cross-referenced below, under the heading “Why we collect your data and what we do with it”.
- 4.4 If we cannot process your special category or criminal convictions data for any of the reasons above, we will either do so for another lawful purpose, or otherwise we will seek your explicit consent to such processing.

5 Your consent to our processing your data

If we cannot process your personal data for any of the reasons above, we will either do so for another lawful purpose, or otherwise we will seek your consent (or, in respect of special category or criminal convictions data, explicit consent) to such processing. There is, we believe, little practical difference between consent and explicit consent. If we do seek your consent, we will provide you with full details of the information that we want to collect and the reason we need it, so that you can carefully consider whether you wish to consent. It will not be a condition of your contract with us that you agree to any request for consent from us.

6 Withdrawal of your consent or explicit consent

In some circumstances, our processing of your personal data will be lawful only if you give your consent or your explicit consent; in other circumstances, we may seek your consent where this is not strictly required. In either case, you will be entitled to withdraw your consent at any time, but note that such withdrawal:

- 6.1 will not affect the lawfulness of any processing by us of your personal data before withdrawal;
- 6.2 will not prevent us from processing your personal data if we may continue to rely on another lawful basis for processing; and
- 6.3 may result in the loss to you of a benefit to which you are entitled only for so long as your consent remains current.

7 Why we collect your data, and what we do with it

- 7.1 **Table 1** below explains: (i) the purposes for which we may collect and process different categories of your personal data; (ii) why we are allowed to do so (with reference either to a Permission Type as defined above and/or because we have your consent or explicit consent); (iii) whether you have a statutory or contractual obligation to provide data or whether provision of data is necessary for the entry into a contract; and (iv) the period during which we expect to retain such data. Once we are satisfied that we no

longer need to retain your data, we will erase it. Where we collect personal data for more than one purpose, we will retain it until such time as all such purposes have been fulfilled.

To understand what we mean when we refer to the erasure/deletion or retention of personal data, please see heading below "Deletion of personal data – a caveat".

A failure to provide information where this is a contractual requirement, or a requirement for entry into the relevant contract, may mean either that: (i) you are in breach of contract, which may result in termination of the contract and/or a claim in damages by us; or (ii) it will not be possible to enter into the relevant contract, or for part of the contract to be performed, and may mean that you will not qualify for one or more benefits to which you would otherwise have been entitled under that contract.

If you fail to provide information where this is a statutory requirement, this may frustrate our entry into a contract with you and the performance by us of the obligations that we owe to you and may expose you to legal action initiated by governmental or quasi-governmental authorities. If you are in any doubt as to your rights or obligations, whilst we will be happy to clarify, you may wish to take independent legal advice.

7.2 **Table 2** below identifies where someone other than Weightmans and its representatives may have access to your data.

We do not currently transfer, or propose to transfer, any of your personal data to any third country (outside the European Economic Area ("EEA") which, following Brexit, shall be deemed to include the UK) or to an international organisation, although some of our service providers may do so. If we are aware that such a transfer may take place, we will take steps to ensure that the transferee is subject to an adequacy decision by the European Commission (or any organisation which assumes the Commission's role following Brexit) or that the transfer is subject to another appropriate safeguard.

For information about the security of your data, whether processed within the EEA or elsewhere, see "Storage and transfer of your personal data" below.

8 Table 1: Data processed, purpose, lawful basis and duration, whether you are obliged to provide

[When preparing this table, we started by listing the various purposes for which we collect your personal data. We then decided to identify, as comprehensively as possible, the information that we need from you to fulfil each purpose. As some types of data are relevant for more than one purpose, this has inevitably resulted in some repetition of data types. Although, in the interests of transparency, we have tried below to match data to purpose, the shifting needs of our business may mean that your personal data listed alongside any one purpose may be used for any other stated purpose.]

Data type	Our purpose for collection, storage and other processing / your obligation to provide	Expected duration of retention of data / basis on which processing is lawful? (specify the Permission Types A to K- as defined above – which may apply)
Name; address; other contact details (personal and work); online photograph	<p>This is information that we need to draft our contract with you, and to facilitate communication with you whilst you remain a member of staff.</p> <p>You are not obliged to provide these data for the purposes of preparing the contract. If you fail subsequently to provide us with these data, or any changes to these data, this may make it difficult for us to contact you for business purposes.</p> <p>We may also use this information when identifying you as a contact point for a customer, supplier or other organisation with which the firm may deal, and we consider that it is in our legitimate interests to do so. It is also likely that acting as a contact point is within the scope of your contract with us, in which case you may be regarded as in breach of contract if you do not permit us to use your information for this purpose.</p>	<p>We will retain this data for the duration of your employment or engagement with us. We may also need to contact you for a reasonable time after your employment or engagement with us ceases (your exit), and will retain this information for such period.</p> <p>Permission Type(s): A</p>

<p>Name; address; date of birth; nationality; passport number; NI number; pay; benefits, tax status information</p>	<p>We require some of this information to evidence your entitlement to work in the UK; other information is needed to facilitate compliance with our obligations to HMRC (in particular, the payment of PAYE and national insurance) and other government departments. You are not obliged to provide this information, but a failure to do so may result in our breach of legal obligations if we were to employ/engage you.</p> <p>We also require details of your pay entitlement to ensure that we pay you in accordance with our obligations under our contract with you.</p> <p>We may need to pass some of this information to third party suppliers, to assess your suitability for the role in which you are (or will be) engaged, and to facilitate the performance by you and us of our contract with you. Non-exhaustive examples include providers of investigative services (background checks), payroll services, pensions advisory services and training.</p>	<p>We will be required to retain this information after you leave the firm for so long as required by relevant legislation. For example, HMRC may revisit compliance with our PAYE obligations for a period of three years after the end of the year of your exit.</p> <p>Permission Type(s): A, B, E, J</p>
<p>Bank account details; attendance record (and hours worked)</p>	<p>We need this information to calculate and make payments due to you under our contract with you. Your attendance (taking account of holidays, overtime, statutory or compassionate leave, long-term illness and flexible and part-time working) is also relevant to this process.</p>	<p>Your bank account details will be deleted once we have met all our payment obligations to you. In most cases this will be within 3 months of your leave date.</p> <p>We would expect to retain your attendance record for a reasonable period after your exit, so that we may deal with</p>

	<p>You are not obliged, legally or contractually, to provide bank account details. If you do not do so, you may not be paid.</p> <p>It is a requirement of your contract with us that we maintain a record of attendance at work. A failure to do so may mean that you are not paid the correct amount and may result in your breach of contract.</p>	<p>any queries that arise in this respect. You should however be aware that we may retain a poor attendance record for so long as we consider it possible that we may take or defend legal proceedings against you.</p> <p>Permission Type(s): A, G</p>
<p>Health information; GP and emergency contacts; marital status and dependants; private healthcare claims record; life assurance nomination</p>	<p>We need this information to assess your working capacity, to make suitable arrangements for you in the workplace, and to deal appropriately if you suffer a health incident or accident, whether or not fatal and whether at work or elsewhere.</p> <p>We also need to process claims record information in order to evaluate our annual renewal premium with our private healthcare insurer from time to time.</p>	<p>We will retain or will procure that our third-party health professional retains, information about your health only for so long as this may be required by law. We will retain your private healthcare claims record for so long after your exit as shall be necessary to evaluate renewal with our health insurer or appointment of a new health insurer.</p> <p>We will delete other information within a reasonable period after your exit.</p> <p>Permission Type(s): B, C, E, H</p>
<p>Evidence of qualifications; details of convictions; disciplinary proceedings by regulators; details of personal insolvency, disqualifications from office, management of insolvent bodies; job history; employer references; skills and competencies; continuing professional</p>	<p>We need these data to assess your suitability (or continuing suitability) for a position with us, both at point of recruitment and during your time with the firm.</p> <p>Some of this information is either "special category" data or data relating to criminal convictions, as explained above, or may otherwise be directly relevant to the performance of</p>	<p>We would expect to retain some of this information until a reasonable time has elapsed after your exit, for example to facilitate the giving of references. We may retain information for longer if, in our discretion, this is necessary for us to</p>

development (CPD) records; assessment records (scores and number of attempts); attendance record; records of appraisal/one-to-one meetings; records stored in performance management systems; records of disciplinary proceedings conducted by the firm (and see also below); personal information derived from your use of work email, the firm's social media platforms and your access to the firm's internet facilities; information derived from your use of firm-issued swipe cards and images derived from CCTV in our offices; hobbies and interests

your role. We will rely on this information to protect the interests of our clients and staff and we must process it in order to assess your suitability for role prior to entering into a contract with you. You are not legally obliged to provide such information, but you may be contractually obliged to do so once you have signed your contract with us. In any event, you should be aware that any withholding of such information from us may result in withdrawal of our offer of employment, or your dismissal. Other information is relevant to our determination of pay awards and promotion. Again, you are not legally obliged to provide such information, but you may be in breach of your contract with us if you fail to do so. If you have a CPD requirement, whilst it will be your responsibility to meet this, we consider that as an employer we should create for you an environment in which you have an opportunity to develop your professional and personal skills. Accordingly, we host storage of your CPD records for your ease of access, but also to enable us to demonstrate to the Solicitors Regulation Authority and other relevant CPD regulators that we are committed to the development of our staff. We consider that, whilst we may also be able to rely on other grounds for lawful processing, it is in our **legitimate interests** to retain all of the information referred to above. Much of this information will be relevant to the quality of service that you are able to provide to our clients and/or to

comply with regulations or for the taking or defence of any legal proceedings. [To the extent that we hold your personal data derived from your use of work email, the firm's social media platforms and your access to the firm's internet facilities, or information derived from your use of firm-issued swipe cards and images derived from CCTV in our offices, we will archive this information where it will be stored for an indefinite period. We would expect to delete information about your private interests within a reasonable time following your exit. Permission Type(s): A, B, C, D, E, F, G

	<p>your colleagues, to the development of the firm’s business or to the creation of a harmonious working environment. If you choose to volunteer information about your private interests, this may help us to assess your likely “fit” with your immediate colleagues and the firm’s clients. We believe therefore that we have a legitimate interest in processing such information, which may help us to assess your suitability for internal and external business development activity.</p>	
<p>Your utilisation of grievance procedures; records of disciplinary proceedings conducted by the firm; health and safety incidents in which you are involved; comments made at exit interview</p>	<p>We maintain records of this information in order to comply with our responsibilities to you and other staff members as an employer, our obligations under health, safety and environmental legislation and to inform our improvement of working conditions.</p> <p>We are for some purposes (in case our staff are subject of a TUPE transfer) legally obliged to retain records of the exercise by staff of any grievances and of any disciplinary proceedings conducted by the firm. We must also keep records of some health and safety incidents at our premises.</p> <p>There is no legal or contractual obligation on you to attend, or to make representations at, an exit interview. Nor are we legally obliged to maintain a record of such proceedings.</p> <p>Whether or not we are legally obliged to retain any such records, we believe that it is in our legitimate interests to</p>	<p>Legislation may require that we retain such information for a specified period following your exit. Subject to this, and to our retention of information for so long as we determine that this may be necessary for us to take or defend legal proceedings, we will delete this information within a reasonable period after your exit.</p> <p>Permission Type(s): A, B, E, G, H</p>

	<p>process such information, as it may be used to drive business change and improve our staff working environment.</p>	
<p>“Special category” data other than health information (racial or ethnic origin, religious or philosophical beliefs, sexual orientation/gender); type of school attended</p>	<p>Subject to our legal obligation to report on our gender pay gap, we have no legal obligation to collect this information, and you have no legal obligation to provide it.</p> <p>Our reason for requesting that you provide these data is to enable us to monitor the extent to which we comply with our policy of equality and diversity in the workplace https://www.weightmans.com/careers/equality-and-diversity/ . We consider that it is morally correct to comply with this policy. Compliance may also improve our reputation as an employer, and we may have contractual obligations with certain clients and public sector organisations to do so. Accordingly, we consider that it is in our legitimate interests to collect these data.</p> <p>Even though you provide this information voluntarily, to process information collected on or after 25 May 2018 we need your explicit consent. For information collected prior to this date, we were entitled to rely on your consent as implied by your providing the information voluntarily, and we may continue to process it for the purposes for which we collected it. Whenever collected, you are entitled to request that we delete this information, as explained below.</p>	<p>Subject to your right to have such data erased, we expect to retain this data during your time with the firm, and for an indefinite period of time after your exit. This will enable us to chart our progress towards a fully-diverse workforce.</p> <p>Permission Type(s): D, I and K</p>

	<p>Once collected, this information is “pseudonymised”, meaning that our database which stores the information identifies you by number only. To attribute this information to you requires the user to access a separate, secure database, a technique recognised by the GDPR. If you request that we delete this personal data, we will do so by removing your name from the separate database, so that our statistical data will no longer include “personal data” concerning you.</p>	
<p>Information that you provide to us in connection with your mortgage/tenancy application</p>	<p>You may ask us to provide your prospective mortgage lender or landlord with confirmation of your employment status and pay, to enable you to move residence. You do not have to provide this information and must consent in writing to our storage and other processing of it, and to our transfer of your personal data as required by the relevant mortgage lender / landlord. A failure to provide this information, or to consent to our sharing of details of your pay, may result in a failure of your mortgage/tenancy application.</p>	<p>We expect to delete this information within a reasonable time following your exit but will do so sooner if you request us to do so. Permission Type(s): Your consent</p>
<p>Information that we need to facilitate the provision to you of non-contractual staff benefits</p>	<p>We may from time to time make available to you, or procure for you, benefits other than in compliance with our contractual or statutory obligations. Past examples of such benefits include the provision of childcare vouchers and participation in a cycle-to-work scheme.</p>	<p>We expect to delete this information within a reasonable time following your exit but will do so sooner if you request us to do so. Permission Type(s): Your consent</p>

	<p>In order to take up these benefits, you may need to provide us with additional information, for example to assess your eligibility for the benefit in question. You do not have to provide this information, but you may not be able to access the benefit if you do not do so.</p> <p>You must consent in writing to us collecting and processing these details. Whilst you may withdraw such consent at any time, you may thereby lose access to the relevant benefit.</p>	
<p>Information that you provide with your application for a position with the firm</p>	<p>If you apply to the firm, you will provide some of the information described above in this table.</p> <p>We will use this information to communicate with you and to assess your suitability for the position for which you have applied or, if no such position is currently available, for any position which may later become available. It is necessary that we process this information, at your request, prior to entering in any contract with you.</p> <p>You are not obliged to provide any of this information at this stage, but if you fail to do so we may be unable: (i) to process your application; and/or (ii) to assess your suitability for the available position.</p>	<p>If your application is successful, we will retain your information for the period(s) applicable to such information, as stated above.</p> <p>If your application is not successful, or if there is no suitable vacancy at the time you apply, we would generally expect to retain your information for approximately four months following, as appropriate, the date on which we notify you that you have been unsuccessful or receipt of your application. With your written consent, we may retain the information for longer. Conversely, we will delete sooner if you ask us to do so.</p> <p>If your application is handled by an external recruitment portal, the retention</p>

		<p>of your information will be determined by our arrangements with such recruitment portal.</p> <p>Permission Type(s): A, F, your consent</p>
<p>Future employment details</p>	<p>We may ask you to provide details of your future employer, for the purposes of any alumni arrangements which we may operate.</p> <p>You do not have to provide this information, but may do so voluntarily if, for example, you wish us to provide an employer reference on your behalf. You must consent in writing to us processing these details.</p>	<p>We expect to retain this information indefinitely following your exit but will erase it if you request us to do so.</p> <p>Permission Type(s): Your consent</p>

9 Table 2: Recipients of personal data, overseas transfers and safeguards

Data type	Recipients
All data	Any of our offices from time to time, including for the avoidance of doubt our Glasgow office (occupied by Weightmans (Scotland) LLP)
All data	The prospective buyer (or other transferee) or seller of any business or assets that we may sell (or transfer) or buy
All data	A third party acquiring Weightmans LLP and/or Weightmans (Scotland) LLP
<p>Name; address; email address, telephone number and other contact details</p> <p>Date of birth; gender; marital status</p> <p>Your qualifications, skills, experience and employment history; information about your entitlement to work in the UK; results of a DBS criminal records background check</p> <p>Your employment start date; your job role, location and department; your PC log-in details</p> <p>Log-in details and password for platforms made available to you by our service providers; records of the number of attempts to pass online assessments, and scores achieved</p> <p>Any personal data that you enter in our, or a service provider's, platform</p>	<p>Some or all of this information may be transferred to clients, providers of goods and/or services to the firm and other parties with whom the firm has a business relationship from time to time. Other recipients may include charities with which the firm is associated and departments of central and local government.</p> <p>Information about your health may be passed on a confidential basis to our health insurer, or to other health professionals with whom we work to assess your working capacity or to make necessary adjustments to your working hours or environment.</p> <p>We may need to pass other information, as listed in Table 1 above, to third parties such as your mortgage lender or landlord, in the circumstances described in Table 1.</p> <p>For details of how we safeguard your information in these circumstances, please see "Storage and transfer of your personal data" below.</p>

Information about your remuneration, including entitlement to benefits such as pensions or insurance cover; details of your bank account and national insurance number

Details of your schedule (days of work and working hours) and attendance at work; details of periods of leave taken by you and reasons for absence, including holiday, sickness absence, family leave and sabbaticals

Information about your health

Other information, where you consent to its transfer to an identified third party

A large, empty rectangular box with a light beige background and a thin dark border, intended for the user to provide the information listed in the adjacent text box.

10 Storage and transfer of your personal data

All information that you provide to us in electronic format is stored on our secure servers. 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. We are certified to ISO 27001: 2013 and have Cyber Essentials Plus accreditation.

Where we have given you (or where you have chosen) a password which enables you to access certain parts of our network, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

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.

As noted above, we may have to share your data with third parties, including third party service providers and other Weightmans' entities. All such recipients of your data are required to take appropriate security measures to protect your personal information. We do not allow our third-party service providers to use your personal data for their own purposes but permit them to process your personal data only for specified purposes and in accordance with our instructions.

The third parties to whom we are most likely to transfer your data, and the types of data likely to be subject to such a transfer, are listed in Table 2, above.

Notwithstanding the implementation of security measures by us and by our third-party service providers, as a global environment the internet can involve the international transmission of data. Transmission of information via the internet or any social media is not completely secure, and we cannot guarantee the security of your personal data during transmission. By accessing our servers and communicating with us electronically, you acknowledge and accept that our processing of your personal information is subject to this risk.

Although unusual, the data that we collect from you may, subject to the next paragraphs, be transferred to, and stored at, a destination outside the EEA. It may also be accessed by individuals operating outside the EEA who work for us or for one of our suppliers. Provided we take precautions (examples of which are described in the bullet points which follow) to ensure that the relevant recipient of your data is obliged to keep it secure, we do not require your consent to transfer these data outside the EEA. However, if it is not possible to implement such precautions, we will seek your consent to such transfer. We will in any event take all steps reasonably necessary to ensure that your data is treated securely, in accordance with this privacy policy and our obligations (and the recipient's obligations) under the GDPR/UK GDPR.

We will generally only permit the transfer of personal data outside the EEA or to an international organisation in the following circumstances:

- 10.1 the European Commission (or, following Brexit, any UK body which assumes the powers of the European Commission to make such a determination) has decided that the country or international organisation to which we propose to transfer the data ensures an adequate level of protection within Article 45 GDPR; or
- 10.2 if the Commission (or any replacement UK body, as aforesaid) has not decided that the recipient country or international organisation offers an adequate level of protection within Article 45 GDPR (or if such decision has been repealed, withdrawn, annulled or declared invalid) we will either: (i) ensure that the recipient controller or processor has provided appropriate safeguards within Article 46 GDPR; or (ii) as noted above, seek your explicit consent to the proposed transfer, having informed you of the possible

risks of such transfer and having ensured that the transfer will meet the other conditions of Article 49(1) GDPR.

If we rely for transfer on your explicit consent within Article 49(1), we will provide you with details of how the relevant conditions have been satisfied at the time we request your explicit consent.

11 Your rights

The GDPR/UK GDPR gives you various rights, as summarised below. Where we are obliged to provide you with information, you are entitled to receive this free of charge, but we may charge a reasonable fee for repeated requests or if we can demonstrate that your request for information is manifestly unfounded.

Where it is necessary for you to communicate with us to exercise your rights, you should in the first instance contact Sue Gould at sue.gould@weightmans.com, or in writing at 100 Old Hall Street, Liverpool L3 9QJ. Sue, will, if necessary, liaise with our Data Protection Officer.

11.1 Access to information

You are entitled to request a copy of the information that we hold about you. To the extent that we hold information that you have provided to us, you are entitled to receive such information in a structured, commonly used and machine-readable format.

11.2 Right to correct or complete information held

You are entitled to have the information that we hold about you corrected or completed.

11.3 Right to be “forgotten”

You may, in certain circumstances, request that we erase the personal data that we hold about you. If these circumstances apply, and if we have transferred any of your data to a third party, we shall take reasonable steps to notify your erasure request to such third party.

11.4 Right to restrict processing

Whilst we may continue to store your personal data (subject to your right to be forgotten), you may in certain circumstances request that we restrict processing of your data. We will not be required to restrict such processing where this is necessary in connection with any legal proceedings between us.

11.5 Right to have information transferred

Where we process your data by automated means, in certain circumstances you are entitled to require us to transmit such data to another data controller.

11.6 Right to object to processing

You are entitled, where we have justified the processing of your data for the pursuit of our **legitimate interests**, to object to such processing. If you raise such an objection, we must stop such processing unless we can demonstrate: (i) that our legitimate business interests override your interests, rights and freedoms; or (ii) that such processing is necessary in relation to legal proceedings.

If we are relying on pursuit of our **legitimate interests** as a ground for lawful processing, we will notify you of this at the time we collect the relevant data.

11.7 Right to have a decision taken by a human

We are unlikely to take, solely by automated means, any decisions which have a legal or similarly significant effect on you, but if we do so you may in certain circumstances object to our decision-taking on such a basis. We do however on occasion require an individual to complete online psychometric testing, whether as part of the recruitment process or to help establish suitability to the appointment of a new role within the firm. The results of such a test are typically analysed using software.

11.8 Right to be notified of a personal data breach

Where a data breach is likely to result in a high risk to your rights and freedoms, we will usually be obliged to notify you of such a breach.

11.9 Right to withdraw consent

If you have given your consent (explicit or otherwise) to our processing of any of your personal data, you are entitled to withdraw this consent at any time. Note that, if you do withdraw your consent, this will not affect the validity of any processing activities carried on prior to such withdrawal.

11.10 Right to complain to Information Commissioner

If you consider that we have breached our obligations under the GDPR/UK GDPR in respect of your personal data, under Article 77 GDPR/ UK GDPR you may complain to the [Information Commissioner's Office](#) (ICO).

12 Deletion of personal data – a caveat

Our process of “deletion” of electronic records involves archiving these records to multiple secure sites across the UK. By this process, records will be rendered inaccessible to ordinary users, but will remain accessible to a small number of designated users only.

13 Changes to this privacy policy

We may revise this privacy notice at any time by amending this page of our website. You are expected to check this page from time to time to take notice of any changes we make, as they are legally binding on you. Some of the provisions contained in this privacy notice may also be superseded by provisions or notices published elsewhere on our site.

14 Contact

Please send your questions, comments and requests to Sue Gould, Head of HR, Weightmans LLP, 100 Old Hall Street, Liverpool L3 9QJ or email sue.gould@weightmans.com.

Weightmans LLP and Weightmans (Scotland) LLP

Appendix A

Weightmans is required, by Part 4 of Schedule 1 to DPA 2018, to maintain a policy which explains our procedures for securing compliance with the principles of Article 5, GDPR/UK GDPR, where the lawfulness of our processing of personal data depends upon our satisfaction of certain conditions set out in Parts 1, 2 or 3 of Schedule 1 to DPA 2018. Such a policy must also explain our approach to the retention and erasure of personal data which we process in reliance on such conditions.

We have set out below the policy required by Part 4 of Schedule 1 to DPA 2018.

In this Appendix to our Privacy Policy:

“DPA 2018” means the Data Protection Act 2018;

“GDPR” means the General Data Protection Regulation ((EU) 2016/679); and

“UK GDPR” means UK General Data Protection Regulation tailored by the Data Protection Act 2018

Article 5, GDPR/UK GDPR sets out the principles on which we, as controller, must process your personal data. These principles are summarised below, together in each case with an explanation of how we secure compliance with these principles in relation to your personal data.

Personal data shall be:

- **processed lawfully, fairly and in a transparent manner:** we have explained, in our Privacy Policy, the period(s) for which we will store your personal data but, as a general guide we will only keep your personal information for as long as is necessary for the purpose for which it was collected. Under the heading “What if we are obliged to collect your personal data”, we have explained where processing is necessary to comply with a statutory or contractual requirement, or is a requirement for entry into a contract, and have set out the possible consequences of a failure to provide such data. Under the heading “Your rights”, we have listed your rights in respect of your personal data;
- **collected for specified, explicit and legitimate purposes, and not further processed in a manner which is incompatible with those purposes:** we have explained the purposes of collection in our Privacy Policy;
- **adequate, relevant and limited to what is necessary in relation to the purposes for which we process them:** we will not use your personal data otherwise than for a purpose compatible with the purposes explained in our Privacy Policy, nor will we collect from you or from any third party more personal data than we need to achieve these purposes. If we need to use your data for any further purpose in the future, we will only do so if lawful or otherwise with your explicit consent. If we need to collect from you or any third party any further personal data, we will provide you with the information that we are obliged to provide to you under the GDPR/UK GDPR, either at the time of collection or within any time period that may be permitted by the GDPR/UK GDPR;
- **accurate and, where necessary, up to date:** we will make every effort to ensure the accuracy of the personal data that we hold about you, both at point of collection and periodically thereafter. For these purposes, we may request that you review some or all of this information from time to time, and to notify us of any necessary changes. As you will see in our Privacy Policy, you are entitled to request that we correct your data;
- **kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which we process the data:** in our Privacy Policy, we have indicated for each data category the expected duration of our retention of the relevant data. We would also draw your attention to our commentary in the Privacy Policy, under the heading “Deletion of personal data – a caveat”. If we consider that we need to retain your personal data for any longer period, we will ensure, by taking legal advice as necessary, that our continued retention and other processing will be permitted by the GDPR/UK GDPR as lawful processing; and

- **processed in a manner that ensures appropriate security of the personal data:** your personal data will be stored and otherwise processed secured as more particularly described in our Privacy Policy under the heading “Storage and transfer of your personal data”