

## Disclaimer

The Haley Guiliano LLP website provides information about our firm and certain topics that we feel users of the website may find of interest. This information may be considered advertising under the rules of professional conduct applicable to our legal practice. Any information we receive from you prior to the formal establishment of such a relationship will not be confidential.

The content provided on the Haley Guiliano website is for informational purposes only. Before you make any decision that may have legal implications, you should consult with a qualified legal professional for specific legal advice tailored to your situation.

Your use of the Haley Guiliano website is not an invitation to enter into and does not create an attorney-client relationship. Please do not convey to us any information you regard as confidential unless and until a formal lawyer-client relationship has been established. Any information we receive from you prior to the formal establishment of such a relationship will not be confidential.

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### *Scope*

This Privacy Notice (“Notice”) describes how Haley Guiliano collects and uses your Personal Data in accordance with the EU General Data Protection Regulation (“GDPR”) and other applicable data protection and privacy legislation. It tells you what Personal Data we collect, why we need it, how we use it and what protections are in place to keep it secure.

### *Key Terms*

“Haley Guiliano” “we” “us” and “our” mean Haley Guiliano International LLP and Haley Guiliano LLP (to the extent that it processes Personal Data concerning persons (“Data Subjects”) in the European Union).

“Haley Guiliano Personnel” means Haley Guiliano’s prospective, present and past partners, employees, consultants and agency staff, and people connected to such persons.

“Personal Data” means information about individuals (including you), and from which such individuals could be identified.

“You” means individuals whose Personal Data we process including, but not limited to Haley Guiliano’s clients, Haley Guiliano’s client personnel, counter-parties, counter-party personnel, other solicitors/advisors, witnesses, suppliers, supplier personnel, job applicants and individuals to whom we send marketing communications. “You” does not include Haley Guiliano Personnel.

### *Data Controller*

Haley Guiliano is the Data Controller in relation to your Personal Data and is committed to protecting the privacy rights of individuals, including your rights.

### *Data Protection Committee*

Haley Guiliano is not required under the GDPR to appoint a Data Protection Officer and, following a detailed

analysis does not consider it appropriate to do so on a voluntary basis. It has however, established a Data Protection Team, (“DPT”) which is responsible for overseeing Haley Guiliano’s compliance with the GDPR and any other applicable data protection legislation and regulation. This team includes Haley Guiliano LLP’s representative in the EU.

The DPT can be contacted at [DPT@hglaw.com](mailto:DPT@hglaw.com) or at Central Court, 25 Southampton Bldgs, London, WC2A 1AL.

#### *How does Haley Guiliano obtain your Personal Data?*

In some circumstances, we may obtain your Personal Data from you directly including through your use of this website or a job application but, more typically, we will obtain your Personal Data from a third-party source, for example, we may collect information from our clients/our clients’ personnel, agents and advisors, other law firms/advisors which represent you, the company for whom you work, other organisations/persons with whom you have dealings, government agencies, credit reporting agencies, recruitment agencies, information or service providers and publicly available records.

#### *What about Personal Data which you provide to Haley Guiliano?*

If you provide information to us about someone else (such as one of your associates, directors or employees, or someone with whom you have business dealings) you must ensure that you are entitled to disclose that information to us and that, without our taking any further steps, we may process that information in accordance with this Notice.

#### *What Personal Data does Haley Guiliano collect from and about you?*

We collect and use different types of Personal Data about you, which will vary in type and detail depending on the circumstances and purpose of processing. Please consider the following illustrative and non-exhaustive examples:

- *Personal Data about you:* name, address, date of birth, marital status, nationality, race, gender, preferred language, job title, work life and restrictions and/or required accommodations, possibly about your family life;
- *Personal Data to contact you at work or home:* name, address, telephone, and e-mail addresses;
- *Personal Data which may identify you:* photographs and video, passport and/or driving license details, electronic signatures;
- *Personal Data to process any payment we might need to make to you:* bank account details, HMRC numbers and references (where applicable);
- *Personal Data to monitor your use of our website:* IP address, traffic and location information, weblogs and other communication information.

#### *Why do we need to collect and use your Personal Data?*

We need to collect and use your Personal Data for a number of reasons, the primary purpose being to provide legal advice and services to our clients and which may involve the use of your Personal Data in the following (non-exhaustive) ways:

- to contact you if you are involved in a matter we are undertaking for a client, whether in your professional or personal capacity;
- to carry out investigations, risk assessments and client due diligence;
- to analyse the practices of your employer or other organisations and/or persons with whom you have dealings;
- to review, draft and disclose correspondence and other documents, including court documents;
- to instruct third-parties on behalf of our clients; and
- for comparison/analytical purposes and to formulate legal opinions and provide advice.

We may also process your Personal Data for effective business management purposes which may involve the use

of your Personal Data in the following (non-exhaustive) ways:

- to engage and contact suppliers;
- to carry out internal reviews, investigations, audits;
- to conduct business reporting and analytics;
- to advertise and market the services that we provide;
- to help measure performance and improve our services;
- for recruitment purposes;
- for regulatory and legislative compliance and related reporting; and
- for the prevention and detection of crime.

*What is Haley Guiliano's legal basis for processing your Personal Data?*

Under the GDPR, Haley Guiliano must identify a lawful basis for processing your Personal Data which may vary according to the type of Personal Data processed and the individual to whom it relates.

- Performance of a contract with you (where applicable):

Haley Guiliano is entitled to process the Personal Data it requires in order to fulfil its obligations under its contract with you. This will be the relevant legal basis if you are an individual client or supplier/other individual with a direct contractual relationship with Haley Guiliano.

- Legitimate interests of Haley Guiliano or a third-party:

We process some of your Personal Data on the basis that it is in our legitimate interests and/or the legitimate interests of a third-party to do so. This will primarily concern the processing of Personal Data that is necessary to provide legal advice and services to our clients. Haley Guiliano's legitimate business interest in such instances is the proper performance of its function as an authorised and regulated provider of legal services. Haley Guiliano's clients' also have a legitimate interest (and more general right in law) in obtaining legal advice and services.

Haley Guiliano's broad interest in the provision of legal services as a basis for processing your Personal Data, and our clients' corollary interest in the receipt of such services, can be broken down into more discreet categories which may include, but are not limited, to:

- the interest in contacting individuals relevant to Haley Guiliano's work and our clients' matters, which may involve the use of your Personal Data;
- the interest in reviewing documents and correspondence that have been disclosed to Haley Guiliano, Haley Guiliano's clients and third-parties which may contain your Personal Data;
- the interest in reviewing and analysing all evidence available to Haley Guiliano and its clients, which may contain your Personal Data;
- the interest in adducing legal arguments, creating documents and correspondence, which may contain your Personal Data;
- the interest in disclosing documents and correspondence, which may contain your Personal Data, to various parties in the furtherance of Haley Guiliano's clients' objectives;
- the interest in instructing third-parties on behalf of Haley Guiliano's clients;
- the interest in receiving payment from Haley Guiliano's clients and third-parties and to facilitate payments to and from Haley Guiliano's clients and third-parties; and
- in order to allow for all of the above, the secure management and storage of your Personal Data, within our IT environment and hard-copy filing systems.

Haley Guiliano may also process your Personal Data on the basis that it is necessary for its legitimate business interests in the effective management and running of Haley Guiliano which may include, but is not limited to:

engaging suppliers and supplier personnel; ensuring that its systems and premises are secure and running efficiently; for regulatory and legislative compliance, and related auditing and reporting; for insurance purposes; for recruitment/hiring purposes; for marketing purposes; and to facilitate, make and receive payments.

Haley Guiliano does not consider that the processing of your Personal Data, on the basis that it is within Haley Guiliano's legitimate interests (whatever such interests might be), is unwarranted because of any prejudicial effect on your rights and freedoms or your legitimate interests.

- Compliance with a legal obligation to which Haley Guiliano is subject:

In certain circumstances, Haley Guiliano must process your Personal Data in order to comply with its legal obligations. This might include, but is not limited to, Personal Data required: for tax and accounting purposes; for conflict checking purposes as required by the common law and Haley Guiliano's regulators; and for Haley Guiliano to fulfil its compliance and other obligations under relevant legislation/regulation.

More information relating to legal bases for processing Personal Data can be found on the Information Commissioner's website (see details below) or by contacting the DPT.

#### *Special category and criminal records Personal Data*

If Haley Guiliano processes your criminal records Personal Data or special category Personal Data relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, health data, biometric data or sexual orientation, we will obtain your explicit consent to those activities unless this is not required by law (because, for example, it is processed for the purpose of exercising or defending legal claims) or the information is required to protect your health in an emergency. Where we are processing Personal Data based on your consent, you have the right to withdraw that consent at any time.

#### *Direct Marketing*

We may use your contact details to send you marketing materials, provided we are permitted to do so by law. You always have the right to unsubscribe from any marketing. You can do so by clicking on the relevant link in the next email we send you, or by contacting the DPT using the details provided.

#### *Who receives your Personal Data?*

We may disclose your Personal Data to third-parties (outside of Haley Guiliano and Haley Guiliano Personnel) if, but only when, we have a legal basis to do. Such recipients include but are not limited to: co-counsel, other solicitors/barristers/experts/foreign law firms whom we instruct on your behalf; Haley Guiliano's insurance brokers and underwriters; Haley Guiliano's bank, auditors and accountants; Haley Guiliano's outsourced IT providers and other suppliers; HMRC; Intellectual Property Regulation Board; the Home Office and Passport Services; the UK Intellectual Patent Office; the EU Intellectual Patent Office; the other side/other parties on any given matter (lay and solicitor).

#### *How do we protect your Personal Data?*

We have security arrangements in place to guard against unauthorised access, improper use, alteration, destruction or accidental loss of your Personal Data. We take appropriate organisational and technical security measures and have rules and procedures in place to ensure that any Personal Data we hold is not accessed by anyone unauthorised to access it. We have in place, and abide by, a specific information security policy about the security standards used to protect your Personal Data.

When we use third-party organisations to process your Personal Data on our behalf, they must also have appropriate security arrangements, must comply with our contractual requirements and instructions and must ensure

compliance with the GDPR and any other relevant data protection legislation.

*Is your Personal Data transferred to “third countries” and, if so, what safeguards are in place?*

In accordance with this Notice and the provisions of the GDPR, we may transfer your Personal Data to organisations located in “third countries” (those outside of the EEA). In addition to the security arrangements mentioned above in relation to our engagement of third-party organisations, where such transfers are required we will ensure that your Personal Data is adequately protected, for example, by using a contract for the transfer which contains specific data protection provisions (the “Model Clauses”) that have been adopted by the European Commission or a relevant data protection authority.

The transfer of your Personal data from Haley Guiliano International LLP (our UK office) to Haley Guiliano LLP (our US offices) constitutes a transfer to a “third country” and, accordingly, these entities have contracted on such a basis. If you wish to see a copy of these Model Clauses, please contact the DPT.

*How long will your Personal Data be retained by Haley Guiliano?*

It is our policy to retain your Personal Data for the length of time required for the specific purposes for which it is processed by Haley Guiliano and which are set out in this Notice. However, we may be obliged to keep your Personal Data for a longer period, for example, where required by our legal and regulatory obligations or in order to ensure we have effective back-up systems. In such cases, we will ensure that your Personal Data will continue to be treated in accordance with this Notice, restrict access to any archived Personal Data and ensure that all Personal Data is held securely and kept confidential.

*What are your rights?*

The GDPR generally affords individuals a right to access their Personal Data, to object to the processing of their Personal Data, to rectify, to erase, to restrict and to port their Personal Data.

We have specific procedures in place in relation to Subject Access Requests (“SARs”) that you may be entitled to make. Put simply, a SAR is a request made by you which requires us to provide you with details of your Personal Data which we hold and process and a description of how we process it. Any questions or requests should be put in writing to the DPT.

There are exceptions to the rights of individuals in relation to their Personal Data and, particularly when we are processing your Personal Data for the purpose of providing legal advice to our clients, your rights may be limited. We will, at all times, respect your Personal Data and seek to be as transparent as possible but please be aware that, in some instances, we may be restricted from even acknowledging that we process your Personal Data.

*How to make a complaint*

If you are unhappy with the information provided in this Notice or have concerns about the way in which Haley Guiliano processes your Personal Data you may in the first instance contact the DPT, and if you remain dissatisfied then you may apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF [www.ico.org.uk](http://www.ico.org.uk)

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