

**CMS CAMERON MCKENNA NABARRO OLSWANG LLP**  
**CLIENT PRIVACY POLICY**

CMS Cameron McKenna Nabarro Olswang LLP (“CMNO”) is committed to protecting and respecting your privacy.

Please read this 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 and which rights and options you have in this regard. Please see the relevant headings below for more information on each of these areas. Please also refer to our Cookie Policy, which explains the use of cookies and other web tracking devices via our website.

**1. KEY TERMS**

We, us, our	CMS Cameron McKenna Nabarro Olswang LLP and its associated offices in other countries (the " <b>CMNO Entities</b> "). See ‘Data controllers’ below for more information on the entities that control and process personal data in CMNO.
Our data protection lead	Craig Perry Office: Cannon Place, 78 Cannon Street, London EC4N 6AF Direct Dial: +44 20 7367 3947 Email: <a href="mailto:craig.perry@cms-cmno.com">craig.perry@cms-cmno.com</a>
Personal data	Any information that identifies, or could reasonably be used to identify, a living individual, either on its own or together with other information
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 Data concerning health, sex life or sexual orientation

**2. WHO IS RESPONSIBLE FOR YOUR PERSONAL DATA?**

CMNO, an English limited liability partnership with registration number OC310335, and where applicable, the relevant CMNO Entity will be responsible for your personal data. Specifically, your data will be controlled by the CMNO Entity that you have instructed, or that is providing services to or communicating with you.

**3. PERSONAL DATA WE COLLECT ABOUT YOU**

We may collect personal information from you in the course of our business, including through your use of our website, when you contact or request information from us, when you engage our legal or other services or as a result of your relationship with one or more of our staff and clients.

The personal information that we process includes:

- Basic information, such as your name, your employer, your title or position and your relationship to a person;

- Contact information, such as your physical address, email address, fax, mobile and telephone number(s);
- Identification and background information to enable us to check and verify your identity, e.g., your date of birth or passport details;
- Financial information, such as bank account details and so far as is relevant to your instructions, e.g., the source of your funds if you are instructing on a purchase transaction;
- Information relating to the matter in which you are seeking our advice or representation;
- Information collected from publicly available resources, integrity databases and credit agencies;
- Technical information (including your IP address); such as information from your visits to our website or applications or in relation to materials and communications we send to you;
- Where you provide it, information about your hobbies and interests;
- Details of your visits to this web site including, but not limited to, traffic data, location data, weblogs and other communication data;
- Images captured by our offices' CCTV cameras;
- Details of your visits to our premises;
- Information you provide to us for the purposes of attending meetings and events, including disabilities or special dietary requirements you may have;
- Personal information provided to us by or on behalf of our clients or generated by us in the course of providing services to them, which may include special categories of data;
- Any other information relating to you which you may provide to us.

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**

As a law firm, we regularly receive personal data as part of our professional activities. We may collect your personal data:

- As part of our business intake procedures;
- When you or your organisation seek legal advice or employment from us;
- When you or your organisation offer or provide services as our vendor;
- When you or your organisation you work for are a counterparty of one or more of our clients;
- When you browse or interact with our website(s) or use any of our online services;
- When you email us or provide such data to us in other circumstances, such as when you request details about or attend a firm sponsored event, or when you engage with the alumni or careers portal.

We collect most of this information directly from you, from our clients or other parties to a matter and their authorised representatives, or through your use of our website. However, we may also collect data about you from a third party source, such as your employer, other organisations that you have dealings

with, regulators, government or credit reporting agencies, an information or service provider or from publicly available records (i.e., companies house records).

## **5. HOW AND WHY WE USE YOUR PERSONAL DATA**

Whether we receive your personal data directly from you or from a third party source, we will only use your personal data if we have a proper reason for doing so, e.g.: to comply with our legal and regulatory obligations; for the performance of our contract with you or to take steps at your request before entering into a contract; for our legitimate interests or those of any third party recipients that receive your personal data; or where you have given consent. We may use your personal data for the following purposes only (“Permitted Purposes”):

- Providing legal advice or other services to you;
- Managing our business relationship with you or your organisation, whether in connection with the provision or procurement of goods and services or as your employer or former employer, including processing payments, accounting, auditing, billing and collection and related support services;
- Acting in compliance with our legal obligations, including with respect to anti-money laundering and sanctions checks and other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g., under health and safety regulation or rules issued by our professional regulator;
- Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies;
- Managing and securing the access to our offices, systems and online platforms;
- Monitoring our technology tools and services, including our websites and email communications sent to and from CMNO;
- Complying with court orders and other legal and regulatory requirements;
- Processing that is necessary for purposes of the legitimate interest of the firm or third parties provided that such interests are not overridden by your interests or your fundamental rights and freedoms;
- Keeping the contact details we already hold for you accurate and up to date using publically available sources;
- Communicating with you about events and seminars that we hold and sending briefings and newsletters, which we call Marketing Communications;
- For insurance purposes; and
- For any purpose related and/or ancillary to any of the above or any other purposes for which your personal data was provided to us.

## **6. MARKETING COMMUNICATIONS**

We may use your personal data to send you marketing communications (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.

We have a legitimate interest in processing your personal data for marketing purposes. This means we do not usually need your consent to send you marketing communications. However, where consent is needed, we will ask for this consent separately and clearly. We will also comply with your request to stop sending any such further communications.

We will always treat your personal data with the utmost respect and never sell or share it with other organisations outside CMNO for marketing purposes except with your prior permission.

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

- (a) contacting us by emailing [info@cmslegal.com](mailto:info@cmslegal.com); or
- (b) using the 'unsubscribe' link in emails

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. We will not use your personal data for taking any automated decisions affecting you or creating profiles.

## **7. WHO WE SHARE YOUR PERSONAL DATA WITH**

We are an international law firm and any information that you provide to us may be shared with and processed by another CMNO Entity or CMS Legal Services EEIG and the CMS Member Firms and their connected businesses (the "CMS Member Firms"). A complete list is available on request and on our website at <https://cms.law/>.

We may also share your personal information with certain trusted third parties in accordance with contractual arrangements in place with them, including:

- Our professional advisers who we instruct on your behalf or refer you to, e.g., barristers, mediators; consultants; medical professionals, accountants, tax advisors or other experts;
- Suppliers to whom we outsource certain support services such as word processing, translation, photocopying and document review. Our third party suppliers include but are not limited to: Integreon Inc. (who provide office support staff in finance and document design/production); Specialist Computer Centres plc (SCC) who provide IT support services; Xerox who provide office facilities and printing services; and Interserve who provide building and office facility services;
- IT service providers to CMNO, CMNO Entities and CMS Member Firms, including those named above, who provide services domestically or abroad, such as shared service centres, to process personal data for the Permitted Purposes on our behalf and in accordance with our instructions only;
- Third parties engaged in the course of the services we provide to clients and with their prior consent, such as barristers, local counsel and technology service providers like data room and case management services;
- Our insurers and brokers;
- Our banks;
- Courts, law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations. We will use reasonable endeavours to notify you before we do this, unless we are legally restricted from doing so; and

- Third parties involved in hosting or organising events or seminars.

We only allow our service providers to handle your personal data if we are satisfied they 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.

If in the future we re-organise or transfer all or part of our business, we may need to transfer your information to new CMS Member Firms or to third parties through which the business of CMNO or the CMNO Entities will be carried out. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

CMNO or the CMNO Entities may use social media sites such as Facebook, LinkedIn and Twitter. If you use these services, you should review their privacy policy for more information on how they deal with your personal information.

## **8. PERSONAL DATA ABOUT OTHER PEOPLE WHICH YOU PROVIDE TO US**

If you provide personal data to us about someone else (such as one of your directors or employees, or someone with whom you have business dealings) you must ensure that you are entitled to disclose that personal data to us and that, without our taking any further steps, we may collect, use and disclose that personal data as described in this Privacy Policy.

## **9. WHERE YOUR PERSONAL DATA IS HELD**

Information may be held at CMNO Entities and those of our CMS Member Firms, third party agencies, service providers, representatives and agents as described above (see **‘Who we share your personal data with’**).

Some of these third parties may be based outside 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’**.

## **10. HOW LONG YOUR PERSONAL DATA WILL BE KEPT**

Your personal information will be retained in accordance with our data management and retention policy, which specifies the appropriate retention period for each category of data. Those periods are based on the requirements of applicable data protection laws and the purpose for which the information is collected and used, taking into account legal and regulatory requirements to retain the information for a minimum period, limitation periods for taking legal action, good practice, our business purposes and client requirements.

We will delete your personal data when it is no longer reasonably required for the Permitted Purposes or you withdraw your consent (where applicable), provided that we are not legally required or otherwise permitted to continue to hold such data.

## **11. TRANSFERRING YOUR PERSONAL DATA OUT OF THE EEA**

CMNO is an international firm and a list of our offices, together with relevant contact information, may be found on our website. Irrespective of how we obtain your personal data, it may be shared among all CMNO Entities and CMS Member Firms (both inside and outside the European Economic Area). Our policy requires all CMNO Entities and CMS Member Firms to at all times ensure a level of data protection at least as protective as those mandated by the European Economic Area. We may also need

to transfer personal data to third parties, including third parties based outside the European Economic Area, for example (but not limited to) sub-contractors, other counsel and accountants and third parties involved in your matters.

Where we share or transfer your personal data, we will do this in accordance with applicable data protection laws and will take appropriate safeguards to ensure its integrity and protection.

## 12. YOUR RIGHTS

In addition to your rights under applicable data protection legislation and where we are permitted or required by applicable law and regulation and by our professional obligations, we will provide you, upon request, with a copy of your personal data and we will correct any errors identified by you. Subject to certain legal conditions, you also have the right to have any inaccurate personal data corrected and to object to or restrict our using your personal data.

We may request that you prove your identity by providing us with a copy of a valid means of identification in order for us to comply with our security obligations and to prevent unauthorised disclosure of data. We reserve the right to charge you a reasonable administrative fee for any manifestly unfounded or excessive requests concerning your access to your data, and for any additional copies of the personal data you request from us.

All such requests, including any requests to update personal data about you or any questions or comments regarding this policy or our handling of your personal data, should be addressed to [privacy@cms-cmno.com](mailto:privacy@cms-cmno.com).

You have the following rights, which you can exercise free of charge:

Access	The right to be provided with a copy of your personal data.
Rectification	The right to require us to correct any mistakes in your personal data
To be forgotten	The right to require us to delete your personal data—in certain situations
Restriction of processing	The right to require us to restrict processing of your personal data—in certain circumstances, eg if you contest the accuracy of the data
Data portability	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
To object	The right to object: —at any time to your personal data being processed for direct marketing (including profiling); —in certain other situations to our continued processing of your personal data, eg processing carried out for the purpose of our legitimate interests.
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

Please note that even after you have chosen to withdraw your consent we may be able to continue to process your personal information to the extent required or otherwise permitted by law, in particular

in connection with exercising and defending our legal rights or meeting our legal and regulatory obligations.

If you would like to exercise any of those rights, please advise us by emailing us [here](#). We may request that you prove your identity by providing us with a copy of a valid means of identification in order for us to comply with our security obligations and to prevent unauthorised disclosure of data.

### **13. KEEPING YOUR PERSONAL DATA SECURE**

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.

However, the transmission of information via the internet is not completely secure. Although we take appropriate and proportionate steps to manage the risks posed, we cannot guarantee the security of your information transmitted to our online services.

We use a variety of technical and organisational measures to help protect your personal information from unauthorised access, use, disclosure, alteration or destruction consistent with applicable data protection laws. Personal data may be kept on our personal data technology systems, those of our contractors or in paper files.

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.

### **14. HOW TO COMPLAIN**

We hope that we can resolve any query or concern you may raise about our use of your information. You may also have the right to lodge a complaint in relation to our processing of your personal information with a local supervisory authority. We will provide you with details of your relevant regulator upon request.

### **15. DATA CONTROLLERS**

There are a number of entities through which we provide legal services. Most of the firm's main IT systems are located in the UK and controlled by CMNO. Depending on the location where legal or other services are provided, another CMNO Entity may be the data controller in relation to your personal data. Please visit <https://cms.law/en/GBR/Footer-Configuration/Legal-Information> for details of the CMNO Entity through which we practise law in each jurisdiction and, where necessary having regard to local applicable data protection or privacy laws, a country-specific privacy policy.

### **16. HOW TO CONTACT US**

Please contact us and/or our Data Protection Lead by post, email or telephone if you have any questions about this privacy policy or the information we hold about you.

Our contact details are shown below:

<b>Our contact details</b>	<b>Our Data Protection Lead's contact details</b>
<a href="mailto:info@cmslegal.com">info@cmslegal.com</a> +44 207 367 3000	Craig Perry Office: Cannon Place, 78 Cannon Street, London EC4N 6AF Direct Dial: +44 20 7367 3947 Email: <a href="mailto:craig.perry@cms-cmno.com">craig.perry@cms-cmno.com</a>

## 17. UPDATES

This Privacy Policy was updated in May, 2018. We may make minor changes to this Privacy Notice to reflect changing legal requirements or our processing practices. When we make these changes we will publish the updated notice on our Website. If we make any significant changes, we will take additional steps to inform you of these.