HEMPSONS

Hempsons LLP 'Hempsons' is one of the UK's leading law firms operating in the field of health and social care. As a Law Firm our business is the provision of legal advice and representation to public bodies, companies, partnerships and individuals. We understand how important it is to our clients that the information they provide to us, including personal data is stored and handled securely and lawfully and that we are transparent in how we use data supplied to us in connection with our work.

Hempsons, a limited liability partnership incorporated in England and Wales, registration number OC441646 registered office is at Third Floor, 3 Dorset Rise, London, EC4Y 8EN and we have regional offices at The Exchange, Station Parade, Harrogate, HG1 1TS; Windmill Green, 24 Mount Street, Manchester, M2 3NX, White Building, 1-4 Cumberland Place, Southampton SO15 2NP and 2 St James' Gate, Newcastle Upon Tyne, NE1 4AD.

Hempsons, operates as a licenced body authorised and regulated by the Solicitors Regulation Authority ('SRA') and is also registered with the Information Commission Office ('ICO').

If you have any questions regarding this policy or wish to exercise any of your rights as a data subject as explained below, then please write to / email Gurchan Jandu g.jandu@hempsons.co.uk at our Harrogate address.

In many instances, our use of personal data takes place in circumstances subject to legal professional privilege and so if you are not a client of Hempsons, the law restricts what information we can provide to you. This privacy policy sets out how Hempsons process personal data and our lawful basis for doing so enabling you to understand how we collect, process, protect and share that data.

If you are a client or an employee of a client

We will collect your data from yourself directly, from publicly accessible sources of information such as registers of healthcare professionals, information held by Companies House or the Charity Commission and from third parties with a connection to the issue or transaction involving us.

The personal information we will collect about you will vary depending on the reason why you are seeking our assistance. This includes:-

- your qualifications, role and work details;
- your working practises and involvement in the claim or issue in relation to which we are instructed;
- payment information;
- details of any ongoing Court proceedings or complaints, if relevant to our instruction;
- your regulatory history, if relevant to our instruction;
- information regarding any alleged or actual criminal activity on your part, if relevant to our instruction;
- your health data, if this is relevant to our instruction.

If you are a beneficiary of an estate where we have been appointed as personal representatives or are instructed by the personal representatives

We will collect information about you in order to fulfil our instructions and discharge our obligations to our clients, and our legal obligations. This will include information collected from you, information obtained from the deceased when any will was prepared, information provided by the personal representatives, information obtained from the deceased's family and wider circle and information available from publicly accessible sources such as the register of births, deaths and marriages and land charges registry. The nature of the information collected will depend on the nature of the estate, but will include information

needed to verify your identity and ensure that we can properly discharge our duties in relation to the estate, including:

- your contact details;
- your bank account details in order to make any payment to you;
- Any bankruptcy status;
- special category data such as health information, where this is needed to identify your eligibility as a beneficiary or to protect your rights as a beneficiary.

We may need to share your information with third parties for the purposes of administering the estate, including:

- accountants acting on behalf of the estate;
- government agencies such as HMRC or the Probate Registry;
- regulators such as the Solicitors Regulation Authority;
- bankruptcy search providers;
- genealogists.

If you are a patient or a party to litigation involving our client

We may collect the following information about you:-

- your medical or dental records insofar as these are relevant to our instruction;
- your employment history and records, and your financial history if you are claiming for financial losses, insofar as these are relevant to our instruction;
- information about you relating to the subject matter of our instruction, for example, witness statements and expert reports obtained as part of the litigation process;

We may also collect information from third parties including:-

- our own clients and their employees;
- representatives acting on your behalf;;
- other parties to any claim you may be involved in; and
- witnesses to events and matters that form the subject matter of any claim.

If you are a witness to events leading to, or anticipated to be leading to Court proceedings

We may collect the following information:-

- your account of events connected with the litigation in question;
- details of your professional qualifications and work history, including your CV;
- your contact details;
- your bank account information (for payment of expenses);
- analysis of your actions in relation to the subject matter of a claim.

Information may be collected from third parties including:-

- our clients, other healthcare professionals or representatives acting on their behalf;
- representatives acting on your behalf;
- Claimants or potential claimants, or their representatives.

If you are a supplier, or a provider of professional services to Hempsons or one of their employees.

We may collect the following information about you:-

- your contact details;
- your qualifications and experience;

- your bank account information and associated financial records with regard to payment of your invoices and fee notes;
- feedback regarding the work you have done for us;
- details of your availability to undertake work; and
- details of your health insofar as this is relevant to your ability to undertake work we may week to instruct you on.

Information may be obtained from third parties including:-

- your representatives, including any chambers or office support;
- publicly accessible directories, including websites and professional directories;
- clients;
- others who have previously utilised your services, such as other parties to litigation.

Marketing contacts

We collect information relating to clients, employees of clients, subscribers to our marketing information, attendees at our training courses or other events in order to promote Hempsons' services and activities as permitted by law.

The data we collect for these purposes relates to:-

- your contact details;
- your professional interests;
- the likelihood of you requiring Hempsons' services.

These details may be collected from third parties including:-

- your employer;

- an event organiser;
- publicly accessible information from web pages or directories etc;
- commercially provided databases such as Binleys.

Hempsons LLP employees

We collect, process and otherwise use personal data relating to those individuals involved in its professional work. We need to process this data to enter into an employment relationship with you or to manage your membership of the partnership and to meet our obligations under your employment or partnership contract.

For further information about how **Hempsons** processes data relating to its employees and Partners please see our privacy statement accessible via Hempsons Home.

How we will use your personal data

In general, **Hempsons** will use your personal data in order to provide its services as a provider of legal advice and representation, in order to fulfil our regulatory requirements (for example by ensuring we have effective conflict checking and anti-money laundering measures in place), and to support Hempsons' business management and development needs.

Hempsons may share your personal data with third parties where this is a necessary part of our provision of legal services: with clients and potential clients; other parties to a claim, dispute or transaction; witnesses; other professional advisors such as experts or barristers; courts, tribunals, auditors and regulatory bodies. Such sharing is limited only to the extent that this is necessary.

Hempsons also share your data with third parties that are contractually bound to process data on our behalf, for example, in connection with payments (including debt collection where

applicable), event organisers, document processing, archiving services and the hosts of our IT Services (including cyber security providers). In these circumstances, your personal data is protected by binding confidentiality arrangements protecting your data protection rights.

Hempsons will sometimes utilise Artificial Intelligence software in order to support legal research, document analysis and document production. The products we use are: **Jylo and Microsoft Copilot.** For more information about these products, please see **https://jylo.ai/ and https://adoption.microsoft.com/en-gb/copilot/** . We do not utilise these products for automated decision making – all output is reviewed by the task owner in order to satisfy themselves as to the accuracy and suitability of the output to the task, and so all decisions are taken by a human being. We do not permit any information we hold to be utilised for product development or testing.

More specifically, the purposes we use your data for are as follows:-

Client Data

We will use your data in order to:-

- verify your identity;
- understand your need for legal advice and the context in which you are operating, and the nature of the issue requiring legal advice including the provision of that advice;
- obtain confirmation of our instructions and the handling of litigation;
- manage our invoicing, billing and payment requirements, including on occasion credit checking and payment chasing activity;
- Comply with our legal, ethical and regulatory responsibilities, including maintenance of the records of our work including, where necessary, meeting the requirements of our insurers in order to manage any actual or contemplated litigation against us.

Beneficiaries of Estates

We will use your data in order to:

- Verify your identity
- Verify your eligibility as a beneficiary
- Comply with our duties in administering the estate
- Comply with our legal, ethical and regulatory responsibilities, including maintenance of the records of our work including, where necessary, meeting the requirements of our insurers in order to manage any actual or contemplated litigation against us.

Our suppliers, including expert witnesses and Counsel

- We will process your personal data in order to administer the agreement between us, including dealing with administrative queries and managing payment and the performance of the Contract.
- We will also process your personal data where this is necessary for the purpose of providing legal advice to our clients and representation in court proceedings, including advising as to the view the court is likely to take.
- We will also process your data for our own legal and regulatory purposes, including, where necessary, meeting the requirements of our insurers in order to manage any actual or contemplated litigation against us.

Witnesses/other parties to litigation/transactions

- We will process your data in order to support the delivery of legal services and legal representation to our clients.
- This will include preparing evidence for use in litigation;

- Providing advice to our client upon your role in any matter or litigation including the client's options, our recommendations in relation to the same and our assessment of the view a Court or Tribunal is likely to take.
- We may also need to share your information with parties, witnesses and experts used in any actual or contemplated litigation and any Court or Tribunal managing proceedings involving you.
- We will also process your data for our legal, ethical and regulatory responsibilities, including maintenance of the records of our work including, where necessary, meeting the requirements of our insurers in order to manage any actual or contemplated litigation against us.

Patients/Claimants

- We will process your data in order to provide our clients with legal advice and legal representation.
- This will include matters such as advising our clients with regard to their responsibilities towards you, their options, our recommendations in relation to those options, our assessment of the view a Court is likely to take in relation to you and your evidence.
- We are also sometimes required to share information about you by law, for example, if you are pursuing a claim for personal injury it is necessary to share information about you with the Compensation Recovery Unit of the Department for Work and Pensions.
- We may also need to share your information with parties, witnesses, experts and barristers and other legal advisers used in any actual or contemplated litigation and any Court managing proceedings involving you.
- Comply with our legal, ethical and regulatory responsibilities, including maintenance of the records of our work including, where necessary, meeting the requirements of our insurers in order to manage any actual or contemplated litigation against us.

Marketing Contacts

- We use your data to keep you informed of Hempsons' services, including providing briefings and legal updates and inviting you to training events.
- We are mindful of our obligations in this regard and will only use your data for marketing purposes where permitted by the UK General Data Protection Regulation ('UK GDPR')/ Data Protection Act 2018 ('DPA') and in accordance with the Privacy and Electronic Communications (EC Directive) Regulations 2003, where applicable.
- Comply with our legal, ethical and regulatory responsibilities, including maintenance of the records of our work including, where necessary, meeting the requirements of our insurers in order to manage any actual or contemplated litigation against us.

How long do we hold your personal data?

We hold onto your personal data for as long as is necessary to fulfil the purposes outlined in this privacy policy and to comply with our own legal / regulator and good practice obligations.

In general, and unless required to adopt a longer retention period by our clients, we will hold your information for the following periods.

1 Litigation cases (including clinical negligence claims):

6 years from the conclusion of the litigation (including the final resolution of any costs issues), unless:-

- the case involves a child party – in which case our records will be kept for 25 years; or

- the litigation involves a party who lacks capacity to manage their own affairs by virtue of a condition or injury affecting their cognitive ability – in which case our records will be kept for 75 years.

2 Matters not involving claims or litigation:

We will retain our records for 10 years following conclusion of the advice or transaction, unless:

- your data is held in connection with a conveyancing matter, in which case we will retain our records for 15 years if we are acting for the purchaser, for 10 years if acting for the vendor selling the whole of the title to the property; and 20 years if acting for a vendor who retains part of the title to the property.
- Your data is held in connection with a matter concerning will, probate and the administration of estates, in which case we will retain our records for 25 years following the whole estate being wound up and distributed.

If you are a client, we will retain our records relating to you as a client for 10 years following the closure of the most recent matter. Our marketing databases are kept under constant review. If you indicate that you do not wish to receive direct marketing material we will keep this information indefinitely, to ensure that we can follow your wishes.

What happens when your data is transferred outside the UK?

Occasionally, your personal data may be transferred to and stored outside the UK. A transfer of data outside the UK may mean that the data is stored in a jurisdiction which does not provide equivalent safeguards and rights protecting your data as would be available within the UK .

However, if we are transferring your data outside the UK , this will either be to a jurisdiction recognised as providing equivalent rights to those under the UK GDPR (for example if the transfer is to a European Union member) or we will be either doing this in circumstances where the law recognises that the arrangements we have put in place provide equivalent protection to your data by, for example, using binding contractual terms approved by the UK Information Commission as providing appropriate protection, or the transfer of data is in circumstances where the law recognises that a transfer outside the UK is lawful, for example, where an expert or witness who is needed for litigation is resident outside the UK..

In any event, we require those receiving the data to keep such data secure and protected.

How do we keep your data secure?

We only use systems proven to be resilient and which handle your personal data confidentially and with integrity. We use encryption and authentication techniques to keep your data safe and secure and we have implemented organisational and physical arrangements to ensure that your personal data is only accessible by authorised people who have a legitimate reason for using your personal data.

Our information security arrangements have been independently audited and we hold Cyber Essentials, Cyber Essentials Plus certifications and also hold ISO27001 certification. We also comply with the requirements of the NHS Data Security and Protection Toolkit.

Our legal basis for processing personal data

Hempsons collect and process personal data on the legal basis that:-

- we need it in order to perform a contract with you (if we have a contractual arrangement with you) or are taking steps in order to enter into a contract with you;

- we are processing the data in order to comply with a legal obligation specific to our organisation; and/or
- we need it for our legitimate business purposes and in the course of assessing these, we have taken into account your rights and freedoms.

Our legitimate interests are the delivery of legal advice and representation as required by our clients, including:-

- the activities needed in order to operate the business of solicitors, including the management and financial planning activities of the same, and securing payment for the work we do.
- the need to maintain records for our regulatory and ethical obligations and in order to comply with the reasonable requirements of our insurers.
- our need to address any complaints or claims, including the need to provide instructions to our insurers and legal representatives.
- compliance with the legal obligations that require us to maintain and, in certain circumstances, disclose data.
- to assist our clients in the prevention and detection of fraud.
- the promotion of our services by communicating briefing documents, newsletters and promoting training events.

There are also legal obligations controlling the processing special categories of personal data (such as health records) and criminal records as defined in the UK GDPR and DPA. We process this type of data on the legal basis that:

- We need to process the information in order to provide legal advice or representation in legal claims.

- The processing is necessary for the publication of a judgment or other decision of a court or tribunal.
- The processing is required for reasons of substantial public interest as identified in Schedule 1 of the DPA (for example processing necessary for functions conferred upon a person by enactment)

Which rights do you have?

As a data subject, you have a number of rights under the DPA and applied UK GDPR:-

- You have the right to request access to the personal data we hold about you including the right to a copy of such personal data.
- You have the right to request the correction of inaccurate personal data and the right to have incomplete personal data completed.
- You have the right to request that data about you be deleted in certain circumstances.
- You have the right ask that we restrict how we process your personal data in certain circumstances.
- You have the right to object to us processing data in certain circumstances, including the right to object to your data being processed for direct marketing purposes.
- You have the right to data portability (a transfer of the data we hold to a new data controller) in certain circumstances.

The DPA provides that some or all of these rights can be modified or dis-applied in certain circumstances and in particular, data subject rights are heavily curtailed where their personal data is subject to legal professional privilege. For this reason, in some circumstances, **Hempsons** may not be able to confirm or deny whether information relating to you is held.

Should you wish to exercise any of your rights as a data subject then please contact the Head of Quality and Risk at **Hempsons**, The Exchange, Station Parade, Harrogate, HG1 1ST.

Please include your name, email address and postal address in your request. We may also ask for proof of your identity.

Where we collect data from you directly, except where we are required to process your data by law, when we ask you to provide data, you are not obliged to provide it.

Where we need the information in order to fulfil our obligations to you or to others (whether as a result of contractual or regulatory obligations) a failure to provide the information we reasonably require may mean that you are subject to adverse consequences – for example, we may have to cease acting for you as a client, or in a litigation case the court may impose a sanction up to and including striking out your case.

If you are not satisfied with our response to any rights you assert as a data subject then you may lodge a complaint in accordance with our complaint policy. If you thereafter have any concerns about how we are handling your personal data, you may lodge a complaint at any time with the ICO. The ICO can be contacted at:-

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Or:

https://ico.org.uk

Changes to our Privacy Policy

We may update this privacy policy from time to time. This policy was last updated on 7th July 2026.