

Client Privacy Notice – Evolve Servicing Ltd

About this notice

This notice explains how and why your personal data is processed by Evolve Servicing Limited (also referred to as “**Evolve**”, “**we**”, “**our**” and “**us**”) when we provide you with legal and related services, when you use our websites and other digital platforms, and when we send you marketing communications.

In this notice, when we talk about personal data we mean any information that relates to an identifiable natural person – in this case, you.

Evolve is a “**controller**” in relation to its use of your personal data. This is a legal term – it means that we make decisions about how and why we use your personal data and, because of this, we are responsible for making sure it is used in accordance with applicable data protection laws. We are required by law to give you the information in this notice. You should read this notice, so you know what personal data we collect about you, what we do with it and how you can exercise your rights in connection with it. You should also read any other privacy notices that we give you, that might apply to our use of your personal data in specific circumstances from time to time.

If you have any questions about this notice, please contact the Customer Support team at Evolve Servicing Limited, Bridgewater Place, Water Lane, Leeds, LS11 5DR or customersupport@evoveservicing.com

What types of personal data do we collect and where do we get it from?

The personal information we process about you broadly falls into five main categories: (i) Contact Information; (ii) Identity and Other Regulatory Information; (iii) Matter and Billing Information; (iv) Marketing Preferences; and (v) Browsing and Device Usage Information.

We collect your personal information from various sources. The table below sets out the different types of personal information that we collect and the sources we collect it from.

| Category | Types of personal data | Collected from |
|--|---|---|
| Contact Information | <ul style="list-style-type: none"> • Name • Address • Telephone number • Organisation details (eg your place of work, job title and organisation contact information) | <ul style="list-style-type: none"> • You • Publicly available resources |
| Identity and Other Regulatory Information | <ul style="list-style-type: none"> • Date of birth • Identification information (eg passport, utility bill and/or bank statement) • Details of whether you are a politically exposed person (PEP) | <ul style="list-style-type: none"> • You • Third party systems used for our regulatory checks |
| Matter and Billing Information | <ul style="list-style-type: none"> • Details relating to your matters or enquiries, including matter related communications with you • Information about other people (eg your customers and/or staff) that you share with us in connection with your matters • Information you provide to us when you come into an Evolve office (eg for a meeting) • User IDs and passwords used by you in relation to our platforms and services • You/your organisation's billing, payment and banking details | <ul style="list-style-type: none"> • You • Advisors and other third parties working on your matters on our/your behalf, or those on the other side of the transaction or litigation |
| Marketing Preferences | <ul style="list-style-type: none"> • Legal practice area interests • Business industry sector interests <ul style="list-style-type: none"> • Marketing communications preferences | <ul style="list-style-type: none"> • You • Publicly available information from online resources such as LinkedIn |
| Browsing and Device Usage Information | <ul style="list-style-type: none"> • Information automatically generated through your use of our websites and other digital platforms <ul style="list-style-type: none"> • IP address • Information revealing the location of your electronic device | <ul style="list-style-type: none"> • You and your use of our digital platforms |

Please note that if you do not provide us with your Contact Information we may not be able to provide you with any information you request, and if you do not provide us with

your Contact Information, Identity and Other Regulatory Information or certain Matter and Billing Information, we will not be able to act for you.

What do we do with your personal data, and why?

We use your personal data for a number of different purposes. We must always have a "lawful basis" (ie a reason, prescribed by law) for processing your personal data. The **Personal data purposes table** below sets out the purposes for which we process the different categories of your personal data and the corresponding lawful basis for that processing. For some processing activities, we consider that more than one lawful basis may be relevant – depending on the circumstances.

We also process certain **special categories of personal data** (including details relating to your health when you visit our premises) and information relating to your criminal record where applicable, which require a higher standard of protection under applicable laws. For these special categories of personal data, different lawful bases apply. The **Special categories of personal data purposes table** below sets out the different purposes for which we process special categories of personal data about you and the relevant lawful basis on which we rely for that processing. For some processing activities, we consider that more than one legal basis may be relevant – depending on the circumstances. We also have policies in place explaining our procedures for ensuring compliance with applicable laws in connection with the processing of special categories of personal data. **Cookies and similar technologies**

For more information regarding how we use cookies and similar technologies in connection with your use of our platforms, please read our **Cookies Policy**.

Who do we share your personal data with, and why?

Sometimes we share your personal data with third parties where permitted by law, including the following:

- Eversheds Sutherland (International) LLP ("Eversheds Sutherland") who is the parent company of Evolve and Eversheds Sutherland's network of firms in connection with our business strategy and client targeting programmes and where necessary for us to provide you with multi-jurisdictional advice other service providers as applicable in the context of the services we provide to you;
- courts and other judicial or official bodies, where we are asked to respond to an order or other binding requests;
- regulatory bodies and law enforcement agencies, where necessary for any investigations or to respond to enquiries in relation to our compliance with applicable law or regulations or in connection with criminal investigations, or where otherwise permitted or required by applicable law; and
- professional advisors (such as third party law firms and accountants) and other third parties in connection with our legitimate business activities.

These organisations may use your personal data as a "controller" – they will have their own privacy notices which you should read, and they have their own responsibilities to comply with applicable data protection laws.

We also ask third party service providers to carry out certain business functions for us. These include:

- IT support, cloud platform and data hosting providers who help us with the operation of our websites, mobile applications, data rooms, document and workflow management systems and other systems and applications;
- third party debt recovery organisations where we need to recover any money owed to us;
- marketing service providers, including companies who send out surveys and marketing communications on our behalf; and
- survey providers who help collate client feedback for us.

We will have in place an agreement with our service providers which will restrict how they are able to process your personal data and impose appropriate security standards on them.

Where is your personal data transferred to?

We will sometimes need to transfer your personal data to recipients in jurisdictions other than your own. Some of these jurisdictions may not provide the same level of protection to your personal data as provided in your jurisdiction. If we transfer your personal data outside the European Union, we will only make that transfer if:

- that country ensures an adequate level of protection for your personal data;
- the recipient or recipient country is subject to an approved certification mechanism or code of conduct with binding and enforceable commitments which amount to appropriate safeguards for your personal data – this includes for example, the EU-US Privacy Shield which enables the secure transfer of personal data to the United States;
- we have put in place appropriate safeguards to protect your personal data, such as a contract with the person or entity receiving your personal data which incorporates specific provisions as directed by the European Commission;
- the transfer is permitted by applicable laws; or
- you explicitly consent to the transfer.

If you would like to see a copy of any relevant safeguards used by us to protect the transfer of your personal data, please contact the Customer Support team at Evolve Servicing Limited, Bridgewater Place, Water Lane, Leeds, LS11 5DR or customersupport@evolveservicing.com.

How do we keep your personal data secure?

We will put in place appropriate security measures to protect your personal data from unlawful or unauthorised processing and accidental loss, destruction or damage.

However please note that, in relation to any personal data you submit to us online, we cannot guarantee the security of data sent to us in this way. Transmission of data over the internet is at your own risk. You are responsible for keeping any passwords you use to access Evolve platforms safe.

How long do we keep your personal data for?

We will only retain your personal data for a limited period of time, and for no longer than is necessary for the purposes for which we are processing it for. This will depend on a number of factors, including:

- any laws or regulations that we are required to follow;

- whether we are in a legal or other type of dispute with each other or any third party;
- the type of information that we hold about you; and
- whether we are asked by you or a regulatory authority to keep your personal data for a valid reason.

What are your privacy rights and how can you exercise them?

Where our processing of your personal data is based on your **consent** (see Personal data purposes table **below**), you have the right to withdraw your consent at any time. If you do decide to withdraw your consent we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on – in which case, we will let you know.

Where our processing of your personal data is based on the **legitimate interests** lawful basis (see Personal data purposes table **below**), you can object to this processing at any time. If you do this, we will need to show either a compelling reason why our processing should continue, which overrides your interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.

Where we are processing your personal data for **direct marketing** purposes, you have the right to object to that processing.

Depending on the circumstances, you may have the right to:

- access your personal data and to be provided with certain information in relation to it, such as the purpose for which it is processed, the recipients or categories of recipient to whom it is disclosed and the period for which it will be stored;
- require us to correct any inaccuracies in your personal data without undue delay;
- require us to erase your personal data;
- require us to restrict processing of your personal data;
- receive the personal data which you have provided to us, in a machine readable format, where we are processing it on the basis of your consent or because it is necessary for your contract with us and where the processing is automated; and
- object to a decision that we make which is based solely on automated processing of your personal data.

Please contact us at the Customer Support team at Evolve Servicing Limited, Bridgewater Place, Water Lane, Leeds, LS11 5DR or customersupport@Eveolveservicing.com if you would like to exercise any of your privacy rights.

We also encourage you to let us know if you have any concern about how we are processing your personal data so we can try to resolve your concerns. However, if you consider that we are in breach of our obligations under data protection laws, you are always entitled to submit a complaint with your data protection supervisory authority – for contact details **see here**.

Purposes for processing personal data

| Purposes of processing | Lawful basis | | | |
|---|--------------|--------------------------------|-----------------------------------|---|
| | Your consent | To perform a contract with you | To comply with a legal obligation | For our legitimate interests |
| Providing our Services to you | | | | |
| Responding to your enquiries | | ✓ | ✓ | ✓ (It is important that we can respond to your enquiries) |
| Establishing you/your organisation as a client on our systems | | ✓ | ✓ | |
| Providing you/your organisation with training and other services and/or products you may have requested from us | | ✓ | | |
| Producing reports and narratives to cover how we have spent our time in relation to your matter(s) | | ✓ | ✓ | ✓ (We need to be able to properly record and account for our service-related activities as part of our general business planning and management) |
| Taking payment from you in respect of our services | | ✓ | | |
| Hosting you at our offices and providing hospitality services | | | | ✓ (We need to be able to host our clients and prospective clients effectively) |

Sharing relevant know-how and solicited sector updates with you and sending you service-related communications



(As part of providing a high quality service, we need to keep our clients updated with the latest relevant sector developments)

Sending you electronic direct marketing communications



Analysing how our electronic marketing communications are used by you (including whether you open them and click through to access their contents)



(We need this information to ensure we are providing you with information that you are interested in)

Conducting surveys for benchmarking, continuous improvement and marketing purposes



(We need to collect your feedback in relation to our services, in order to resolve any problems or complaints and improve and innovate)

For our general record-keeping and client relationship management



(We need to store client related files so we can refer back to them)

Managing our business relationship with you resolving any complaints from or disputes with you



(We need to be able to try and maintain our position of being your trusted advisor and resolve any complaint or dispute you might raise with us)

Managing and administering the user accounts and profiles you have with us, collecting information about how you use them and your preferences and tailoring and improving our services accordingly



(We need to tailor our services in accordance with feedback and preferences)

Resolving any complaints from or disputes with you



(We need to be able to try and resolve

any complaint or dispute you might raise with us)

Legal and Regulatory Compliance and Reporting

Performing identity, financial and credit searches, screening and checks against third party sources for anti-money laundering, identity verification, client conflicts and anti-trust purposes



Conducting client conflict checks (not required by law) to confirm we can provide services to you



(We need to make sure that it is appropriate for us to act for you, taking account of our other clients)

Monitoring our systems and processes to identify, record and prevent fraudulent, criminal and/or otherwise illegal activity



(We need to be able to monitor our systems in this way to help protect them, us and you from illegal activity)

Complying with instructions, orders and requests from law enforcement agencies, any court or otherwise as required by law



Complying with our general regulatory and statutory obligations (including our responsibilities under codes of conduct and anti-bribery laws)



General Business Requirements

Managing, planning and delivering our business and marketing strategies (including recording and reporting on our business development activities)



(We need to implement effective business development and marketing strategies)

| | | |
|--|---|--|
| Purchasing, maintaining and claiming against our insurance policies | ✓ | (It is in our interests to protect our business against specified losses) |
| Training our staff | ✓ | (Sometimes, it is appropriate for us to use your personal information so that we can provide our staff with training to manage risk and improve the quality of our services) |
| Continuously reviewing and improving our products and services (including by seeking and obtaining your feedback) and developing new ones | ✓ | (We have a legitimate interest in making sure that we are continuously improving our service offering) |
| Complying with instructions from our clients in relation to their regulatory obligations (including recording our telephone communications with you) | ✓ | (Sometimes, we may need to record calls to our teams to assist with our clients' regulatory obligations, and for training and quality purposes) |
| Obtaining legal advice, establishing, defending and enforcing our legal rights and obligations in connection with, any legal proceedings (including prospective legal proceedings) | ✓ | (We must be able to establish and defend our legal rights and understand our obligations, and seek legal advice in connection with them) |
| Monitoring and producing statistical information regarding the use of our platforms, and analysing and improving their functionality | ✓ | (We need to perform this routine monitoring to make sure our platforms work properly, analyse how they are used and improve them) |
| Managing the proposed sale, restructuring, transfer or merging of any or all part(s) of our business, including to respond to queries from the prospective buyer or merging organisation | ✓ | (We have a legitimate interest in being able to sell any part of our business) |

Maintaining the security and integrity of our systems, platforms, premises and communications (and detecting and preventing actual or potential threats to the same)



(We need to make sure that our business processes are secure)

Managing, publicising and participating in corporate social responsibility initiatives



(We need to ensure our CSR initiatives are properly managed)

Purposes for processing special categories of personal data

| Purposes of processing | Special category lawful basis We are permitted to process your personal data because... | | | |
|--|--|--|---|---|
| | 1. You have given your explicit consent to the processing | 2. It is necessary to protect somebody's vital interests or they are incapable of giving consent | 3. It is necessary for the establishment, exercise or defence of legal claims | 4. It is necessary for reasons of substantial public interest |
| Hosting you at our offices and providing hospitality services | ✓ (for your dietary and access requirements) | ✓ (in case of accidents or emergencies at our offices) | | |
| Providing advice to our clients | | | ✓ | ✓ |
| Investigating, evaluating, demonstrating, monitoring, improving and reporting on our compliance with relevant legal and regulatory requirements (such as anti-money laundering and client verification checks) | | | | ✓ |
| Complying with (or assisting others' compliance with) regulatory requirements involving steps being taken to establish the existence of any unlawful act, dishonesty, | | | | ✓ |

malpractice or other seriously improper conduct

Complying with our general regulatory and statutory obligations



Responding to binding requests or search warrants or orders from courts, governmental, regulatory and/or enforcement bodies and authorities or sharing information (on a voluntary basis) with the same



Obtaining legal advice, establishing, defending and enforcing our legal rights and obligations in connection with, any legal proceedings (including prospective legal proceedings)

