



Blackadders

# OUR PRIVACY NOTICE (full version)

Explaining how we'll use your personal information and keep it safe.

Our Privacy Notice will become effective from 25th May 2018.

## Contents:

1. Introduction – [Page 1](#)
2. About us – [Page 2](#)
3. Your privacy rights – [Page 2](#)
4. How we gather your personal information – [Page 4](#)
5. What personal information we use and how and why we use it – [Page 4](#)
6. Sharing your personal information with or getting your personal information from others – [Page 7](#)
7. Transfers outside the UK – [Page 8](#)
8. How long we keep your personal information for – [Page 8](#)
9. Your consent – [Page 9](#)
10. Your online activities (cookies) – [Page 9](#)

## 1. Introduction

1.1 Client confidentiality has always been an essential part of our business so it should be no surprise that Blackadders takes your privacy very seriously. You can find out more here about your privacy rights and how we gather, use and share your personal information. That includes the personal information we already hold about you now and the further personal information we might collect about you, either from you or from a third party. How we use your personal information will depend on the particular legal or estate agency services we provide to you.

1.2 “Personal information” (or personal data) is any information relating to an identified or identifiable natural person (i.e. an individual), for example a name, an identification number, location data, an online identifier or any other identifier of that person’s physical, physiological, genetic, mental, economic, cultural or social identity.

1.2 Our Data Protection Officers provide help and guidance to make sure we apply the best standards to protecting your personal information. They can be reached by email at [privacy@blackadders.co.uk](mailto:privacy@blackadders.co.uk) or by post at Data Protection Officers, Blackadders LLP, 30 & 34 Reform Street, Dundee DD1 1RJ if you have any questions about how we use your personal information or if you would like more information about anything in this Privacy Notice. See section 3 Your privacy rights for more information about your rights and how our Data Protection Officers can help you.

1.3 This Privacy Notice provides up to date information about how we use your personal information and will update any previous information we have given you about using your

[www.blackadders.co.uk/privacy](http://www.blackadders.co.uk/privacy)

personal information. We will update this Privacy Notice if we make any significant changes affecting how we use your personal information, and if so we will contact you to let you know about the change.

1.4 Our website contains links to other websites. This Privacy Notice only applies to this website so when you link to other websites you should read their own privacy policies.

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## 2. About us

2.1 We are what is called the 'controller' of personal information we gather and use. When we say 'we' or 'us' in this Privacy Notice, we mean Blackadders LLP trading under the brand "Blackadders". Blackadders LLP and its solicitors are regulated by the Law Society of Scotland. Blackadders LLP is a limited liability partnership registered in Scotland (number SO301600), at registered office: 30 & 34 Reform Street, Dundee, DD1 1RJ.

2.2 If you are a customer of Blackadders Wealth Management please note that these services are provided by a separate entity, Blackadders Wealth Management LLP, which is not covered by this Privacy Notice. The privacy notice for Blackadders Wealth Management LLP can be found on their website at [www.blackadderswm.co.uk](http://www.blackadderswm.co.uk).

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## 3. Your privacy rights

3.1 You have various privacy rights under data protection law. You have the right, as an individual, to object to how we process your personal information. You also have the right to access, correct, sometimes delete and restrict the personal information we use. In addition, you can complain to us and to the data protection regulator.

3.2 The quickest way to exercise your privacy rights is to contact our Data Protection Officers by email to [privacy@blackadders.co.uk](mailto:privacy@blackadders.co.uk) or by post at Data Protection Officers, Blackadders LLP, 30 & 34 Reform Street, Dundee DD1 1RJ.

3.3 Your privacy rights and how to exercise them are explained in detail below:

Please contact our Data Protection Officers using the contact details above or your usual Blackadders contact to exercise any of these privacy rights:

Your privacy right	More details	How to exercise it
<b>Right to object</b>	You can object to our processing of your personal information or to receiving direct marketing from us.	Please provide details of your objection.
<b>Access to your personal information</b>	You can request access to a copy of your personal information that we hold, along with information on what personal information we use, why we use it, who we share it with and how long we keep it for. You can make a request for access free of charge (from 25 May 2018). This is	Please make all requests for access in writing (e.g. post or email), and provide us with evidence of your identity and details

[www.blackadders.co.uk/privacy](http://www.blackadders.co.uk/privacy)

	sometimes called a 'subject access request'.	of any reference number(s) you have.
<b>Rectification</b>	You can ask us to correct or complete any inaccurate or incomplete personal information held about you.	Please explain the changes you would like us to make.
<b>Erasure</b>	<p>You can ask us to delete your personal information where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it. This is sometimes called the "right to be forgotten".</p> <p>If it is necessary for us to keep your personal information, for example to comply with our legal or regulatory obligations or legitimate interests in legal proceedings or claims, then we would have to decline your request but we would fully explain this to you.</p>	Please make all requests for access in writing (e.g. post or email), and provide us with evidence of your identity and details of any reference number(s) you have.
<b>Restriction</b>	You can ask us to restrict our use of the personal information we use about you where you have asked for it to be erased or where you have objected to our use of it.	Please provide details of the restriction you would like.

Please contact your usual Blackadders contact to exercise this privacy right:

<b>Your privacy right</b>	<b>More details</b>	<b>How to exercise it</b>
<b>Right to withdraw consent to using sensitive personal information</b>	If you have given us sensitive personal information or we have received it from someone you know, you can withdraw your consent to us holding and using this information at any time. This does not apply if processing this information is necessary for the establishment, exercise or defence of legal claims.	<p>Please make all requests for access in writing (e.g. post or email), and provide us with details of any reference number(s) you have.</p> <p>Your contact will then let you know if it is possible for us to continue our services without using this data.</p>

For this privacy right please use the unsubscribe link at the bottom of our emails. Alternatively for our legal services marketing you can email [marketing@blackadders.co.uk](mailto:marketing@blackadders.co.uk) or write to 'Marketing, Blackadders LLP, 30 & 34 Reform Street, Dundee DD1 1RJ'. For our property mailing list you can email [property@blackadders.co.uk](mailto:property@blackadders.co.uk) or write to 'Property Services, Blackadders LLP, 30 & 34 Reform Street, Dundee DD1 1RJ':

Your privacy right	More details	How to exercise it
Right to unsubscribe or withdraw consent to marketing	You have the right to stop receiving marketing communications from us at any time or update your marketing preferences.	Please provide your name, address and email address and explain you wish to unsubscribe.

**3.4 Make a complaint:** You can also make a complaint about how we have used your personal information to us, using the contact details on our Client Care webpage ([www.blackadders.co.uk/client-care](http://www.blackadders.co.uk/client-care)) or to a supervisory authority - for the UK this is the Information Commissioner's Office at [ico.org.uk](http://ico.org.uk).

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## 4. How we gather your personal information

**4.1** We obtain personal information:

- directly from you, for example when you meet with one of our partners or staff in person, speak to us on the telephone, email us, use our website or fill out a web form;
- from other organisations such as anti-money laundering electronic search providers, property search providers or other professional firms, banks, lenders or property developers who are providing services to you when you have agreed to be referred to us, courts and public authorities;
- from online public sources or public registers such as Companies House or Registers of Scotland;
- from other people who know you, such as a member of your family who asks us to make a will or trust for them which names you as a beneficiary or a power of attorney which names you as an attorney, someone you are linked to financially, your agent, a member of staff from a company you are associated with if the company is our client or another business associate;
- from your doctor or other health service provider if medical information or reports are required, such as in certain types of litigation work.

**4.2** We also may obtain some personal information when we use CCTV in our offices. We do this to ensure the safety and security of our staff and clients.

**4.3** To keep your data secure and allow us to stay in contact with you, please let us know whenever your personal information changes. For example please let us know when you move house, change your name on marriage or divorce or get a new email address, so we can keep our records up to date. From time to time we may also check with you that we have the correct data so we can keep in touch with you.

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## 5. What personal information we use and how and why we use it

**5.1** We need some personal information before we can provide our services to you, for example to allow us to check your identity. The exact personal information we need varies depending on the type of service we're providing and our staff will explain exactly what is

needed. If you ever have a question about why something is needed you can ask us. In some cases we won't be able to provide services to you if we don't have all the personal information we need.

**5.2 What personal information?** We use a variety of personal information depending on the legal or estate agency services we deliver to you. We provide a wide range of personal and business services, as described on our website [www.blackadders.co.uk](http://www.blackadders.co.uk).

**+ Read more about the personal information we need about you.**

<b>Personal information we always need about you</b>	<b>Personal information we sometimes need about you, depending on the services we provide</b>
<p><i>To provide you with any services as a client we need to know your:</i></p> <ul style="list-style-type: none"> <li>• <i>title,</i></li> <li>• <i>full name,</i></li> <li>• <i>address,</i></li> <li>• <i>date of birth,</i></li> <li>• <i>email address,</i></li> <li>• <i>telephone number(s),</i></li> <li>• <i>occupation (including whether you hold a “politically exposed” role), and</i></li> <li>• <i>a copy of identification documents (such as a passport or driving licence) and proof of address (such as a bank statement or utility bill), to be used only for complying with our anti-financial crime obligations.</i></li> </ul> <p><i>For business customers, we will use personal information about key individuals in the business, so we can operate and administer the services which we provide to the business.</i></p> <p><i>If you are not our client we may only require some of this information. For example if you are viewing one of the properties we are selling we would usually only require your title, name, address, email address and telephone number(s).</i></p>	<p><i>Other personal information may be required depending on the specific legal or estate agency services we are providing you with, for example:</i></p> <ul style="list-style-type: none"> <li>• <i>Your marital status for many of our personal legal services.</i></li> <li>• <i>Your national insurance number for tax returns we are helping you with.</i></li> <li>• <i>Financial information for arranging property or commercial transactions and the associated payments, for tax advice, if we are acting as a guardian or attorney or if we are making a payment to you as a beneficiary under an executry. If you are making a payment to us using a credit or debit card we will never retain your full card number or the security number on the back of the card.</i></li> <li>• <i>Family information and information about lifestyle and social circumstances for wills or succession planning work, to ensure that the documents we draft fully meet your needs.</i></li> <li>• <i>Bankruptcy information for property transactions, to meet legal requirements.</i></li> </ul> <p><b>Sensitive personal information</b> such as medical details is sometimes required to provide our legal or estate agency services, for example:</p> <ul style="list-style-type: none"> <li>• <i>Information about your health, to adjust our services to additional needs you have, to provide you with urgent medical assistance when you are on our premises, to conduct litigation on your behalf where your medical details are relevant to the proceedings or to make decisions about the management of your affairs if we are appointed as attorney or guardian.</i></li> <li>• <i>Information about criminal proceedings relating to you, for preventing financial crime and to fulfil our legal and regulatory obligations.</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Information about your religion, if relevant to a family law case or funeral instructions in connection with a will.</i></li> <li>• <i>Information about your political opinions, if a political legacy is being made in a will.</i></li> </ul> <p><i>When you use our website it may also collect your device's unique identifier, such as an IP address.</i></p>
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*Sometimes where we ask for your personal information needed to enter into a contract with you or to meet a legal obligation (such as an identity check or our obligation to confirm mental capacity to put a power of attorney in place), we will not be able to provide some services without that personal information.*

**5.3 Why?** We use your personal information to provide you with our legal and estate agency services, to comply with the law, court orders or court appointments, to enforce our legal rights where necessary (including debt recovery). We also use your personal information to improve and market our services to clients (unless you have indicated that you do not wish to receive marketing from us or have unsubscribed) and to non clients (with your consent).

**+ Read more about why we use your personal information.**

*We use your personal information to:*

- *provide you with our legal and estate agency services through a contractual arrangement including advising and acting on behalf of our clients,*
- *deal with any complaints,*
- *administer payments to and from you,*
- *comply with our legal and regulatory obligations, such as to prevent financial crime including fraud and money laundering,*
- *maintain our own accounts and records,*
- *comply with court orders or court appointments, for example where we are appointed to act as financial guardian,*
- *enforce our legal rights where necessary, including debt recovery; and*
- *send you relevant updates about our services or events, either to exercise our legitimate interests if you are a client (unless you have opted out of marketing or unsubscribed) or with your consent if you are not a client – see section 9 Your consent for details), or*
- *exercise our other legitimate interests, where this is fair and does not disadvantage you, for example improving our services or business relationships, fraud prevention or information security.*

**5.4 Sensitive personal information:** Special protection is given to certain kinds of personal information that is particularly sensitive. This is information about your health status, racial or ethnic origin, political views, religious or similar beliefs, sex life or sexual orientation, genetic or biometric identifiers, trade union membership or criminal convictions or allegations. Sometimes we need to use sensitive personal information such as medical details to provide our legal services. For example, information about your health can be very important in family law or employment law matters, if we've been appointed as your guardian or when you've asked us to put a power of attorney in place.

**5.5** Our policy is to only hold and use sensitive personal information if it is relevant to the legal or estate agency services we are providing to you or to the relevant client and we will take

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extra care to ensure it is kept secure. Often if we have sensitive information it is because it is necessary to establish, exercise or defend legal claims. By giving us this sensitive personal information for any other purpose you give us your consent to use the information in this way. **However if you wish to withdraw your consent to our use of sensitive personal information at any time please indicate this to your usual Blackadders contact.** Your contact will then let you know if it is possible for us to continue our services without using this information.

**5.6 Information Security:** Information security is a key element of data protection. We take appropriate measures to secure personal information and protect it from unauthorised loss or damage. It is a requirement that all Blackadders partners, staff and contractors comply with our Information Security policy. Further details are available on request.

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## 6. Sharing your personal information with or getting your personal information from others

**6.1** We only share personal information confidentially with our suppliers and other third parties where needed to provide you with the best legal and estate agency services, to market our services to you (with your consent if you are not our client), where required by law, where it's fair and reasonable for us to do so or otherwise with your consent. These companies will not contact you directly unless you have agreed to that. All of these companies are required to comply with data protection law and are regulated by a data protection regulator. Where it's necessary for your personal information to be forwarded to a third party we'll use appropriate security measures to protect your personal data in transit.

**6.2 Suppliers:** For most services we will share your personal information with our own suppliers. Data protection law requires us to have contracts in place with all of our suppliers who are data processors. These contracts need to contain appropriate protections including confidentiality and security.

### + Read more about our suppliers

*Our suppliers are companies we have carefully selected to provide services to us, such as:*

- *First Scottish for offsite file and document storage and scanning – read their [Privacy Notice \(www.firstscottish.com/privacy-policy/\)](http://www.firstscottish.com/privacy-policy/)*
- *MailChimp for email services and mailing list management – read their [Privacy Notice \(https://mailchimp.com/legal/privacy/\)](https://mailchimp.com/legal/privacy/)*
- *Intelligent Office for overflow typing services – read their [Privacy Notice \(http://intelligentofficeuk.com/?s=privacy\)](http://intelligentofficeuk.com/?s=privacy)*
- *BDP (Barcroft Digital Ltd), ESPC and associated companies for estate agency software, providing home reports and property marketing – read the [BDP Privacy Notice \(https://bdphq.com/privacypolicy\)](https://bdphq.com/privacypolicy) and [ESPC Privacy Notice \(https://espc.com/espc-policies\)](https://espc.com/espc-policies)*
- *CCH (Wolters Kluwer (UK) Limited) for tax return and management software – read their [Privacy Notice \(www.wolterskluwer.co.uk/privacy-policy?\)](http://www.wolterskluwer.co.uk/privacy-policy?)*
- *Smartsearch (SmartCredit) for electronic anti-money laundering searches – read their [Privacy Notice \(www.smartsearchuk.com/privacy-policy\)](http://www.smartsearchuk.com/privacy-policy).*

*Other selected suppliers provide us with services such as additional offsite file and document storage, waste services, overflow typing services, IT systems, website hosting,*

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*property marketing or management services, collating and sending postal marketing or service mailings, banking and payment services and debt collection.*

**6.3 Essential third parties:** The third parties we need to share your personal information with will vary depending on the specific services we provide to you. Examples include public registers (such as Registers of Scotland or Companies House), courts, public authorities and other public bodies and other professionals. An example of another professional is that if we are providing legal services to you in connection with a house purchase, we will share certain personal information confidentially with the solicitor who represents the seller. We will only do this to the extent necessary for providing our services or on your instructions. If you would like further information which is specific to our services to you then please ask us at any time.

**6.4 Our sister firm:** We share some office premises, staff and equipment with our sister firm, **Blackadders Wealth Management LLP** (<http://www.blackadderswm.co.uk/>) but we will ask for your consent before sharing your personal information with them for wealth management services.

**6.5 Optional third parties and referrals:** Sometimes we will offer you an optional referral to another company, for example for financial advice, mortgage advice or property services and we may receive a fee for this. We would only do this with your explicit consent.

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## 7. Transfers outside the UK

**7.1** We will not normally transfer your information outside the UK other than to companies, service providers, agents, subcontractors and regulatory authorities in countries where data protection laws provide the same level of protection as those in the European Economic Area.

**7.2** The exceptions to this are where you provide specific consent to this or where you or another party to the legal services we are providing is located outside of these countries. If this applies we will always use the most secure communication methods possible.

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## 8. How long we keep your personal information for

**8.1** Data protection law requires that we only keep your personal information for as long as we need to for the purposes we need to use it for. How long we keep your personal information for depends on the services we deliver to you. We have legal and regulatory obligations to retain certain personal information for appropriate periods of time. This includes the regulatory guidance produced by the Law Society of Scotland for Scottish law firms for the purposes of setting appropriate information retention periods.

### + More information about how long we keep your personal information for

<b>Type of personal information</b>	<b>How long we keep it for</b>
<i>Most information relating to our legal and estate agency services</i>	<i>Usually at least <b>10 years</b> from the date the relevant client file was closed or you last used one of our services.</i>
<i>Certain information relating to executries</i>	<i>Usually at least <b>20 years</b> from the date of closure of the matter.</i>

<i>Original deeds such as wills and powers of attorney</i>	<b>Indefinitely</b> unless instructed otherwise by the creator of the deed or their representative.
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*In some circumstances we will hold personal information for longer where necessary for our legitimate interests relating to active or potential legal proceedings or to resolve or defend claims.*

*Further details about our retention policy are available on request.*

*Please see section 3 above for details of your right to request deletion of your personal information. We'll comply with this request, subject to the restrictions of our regulatory obligations and legitimate interests noted in this section 8.*

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## 9. Your consent

**9.1** Sometimes we need your consent to use your personal information, for example for marketing if you are not our client or for using sensitive personal information if it is not necessary for the establishment, exercise or defence of legal claims. **Where you have given us consent, you have the right to withdraw it at any time.**

**9.2** We will communicate with you about services we are delivering using any contact details you have given us - for example by post, email, text message, social media, and notifications on our website – unless you have indicated particular contact preferences to us.

**9.3** Please see paragraph 3.3 above (your privacy rights) for details of how to withdraw consent to marketing or to sensitive personal information, where relevant.

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## 10. Your online activities (cookies)

**10.1** We use cookies to track your use of our website [blackadders.co.uk](http://blackadders.co.uk). We may use cookies to provide tailored marketing messages when you are logged into our website, if you have given us consent.

**10.2** A cookie is a small file which is sent to your browser and stored on your computer's hard disc and helps us understand and track your use of our websites and where we can improve the information and services provided. We use cookies solely to gather information on IP addresses, to analyse trends, administer the website, track your movements on the website and gather broad demographic information for aggregate use. For information about blocking the use of cookies, please refer to the instructions/help screen on your internet browser. Please note that you may not be able to use or access certain parts of the website or online services if you block the use of all cookies.

### + How we use cookies – further information

*A cookie is a small file which a website may request to be placed on your computer's hard drive. This website will ask permission for the cookies to be set. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual.*

[www.blackadders.co.uk/privacy](http://www.blackadders.co.uk/privacy)

*The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.*

*We use traffic log cookies to identify which pages are being used. This helps us analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system.*

*Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.*

*We use a cookie to remember your cookie preferences. This has a couple of consequences:*

- If you delete all your cookies you will have to update your preferences with us again.*
- If you use a different device, computer profile or browser you will have to tell us your preferences again.*

*The cookies used on Blackadders are based on the International Chamber of Commerce guide for cookie categories:*

- Strictly necessary*
- Performance*
- Functionality*
- Targeting*

#### *Strictly Necessary*

*'Strictly Necessary' cookies let you move around the website and use essential features like secure areas, shopping baskets and online billing. These cookies don't gather any information about you that could be used for marketing or remembering where you've been on the internet. We use these Strictly Necessary cookies to...*

- Make sure you connect to the right service on our website when we make any changes to the way the website works*

*Cookies we have defined as 'Strictly Necessary' cookies will NOT be used to...*

- Gather information that could be used to advertise products or services to you*  
***Accepting these cookies is a condition of using the website, so if you prevent these cookies we can't guarantee your security or predict how our website will perform during your visit.***

*Here is a list of the cookies we have defined as 'strictly necessary'.*

#### *Blackadders cookies*

- We do not use this type of cookie at present.*

## Performance

'Performance' cookies collect information about how you use our website e.g. which pages you visit, and if you experience any errors. These cookies don't collect any information that could identify you - all the information collected is anonymous and is only used to help us improve how our website works, understand what interests our users and measure how effective our advertising is. We use performance cookies to...

- Provide statistics on how our website is used
- Help us improve the website by measuring any errors that occur
- Test different designs of our website

Cookies we have defined as 'Performance' cookies will NOT be used to...

- Gather information that could be used to advertise products or services to you on other websites
- Remember your preferences or username beyond your current visit
- Target adverts to you on any other website

In some cases, some of these cookies are managed for us by third parties, but we don't allow the third party to use the cookies for any purpose other than those listed above. Using our site indicates that you accept the use of 'Performance' cookies.

**Accepting these cookies is a condition of using the website, so if you prevent these cookies we can't guarantee your security or predict how our website will perform during your visit.**

## Blackadders cookies

- `__utma`
- `__utmb`
- `__utmc`
- `__utmz`

## Functionality

'Functionality' cookies are used to provide services or to remember settings to improve your visit. We use 'Functionality' cookies to...

- Remember settings you've applied such as layout, text size, preferences and colours
- Share information with partners to provide a service on our website. The information shared is only to be used to provide the service, product or function and not for any other purpose

Cookies defined as 'Functionality' will not be used to...

- Target you with adverts on other websites

Some of these cookies are managed for us by third parties - where this is the case we don't allow the third party to use the cookies for any purpose other than those listed above.

*You can control whether or not these cookies are used, but preventing them may mean we can't offer you some services, and will reduce the support we can offer you. It's also possible that preventing these cookies stops us remembering that you didn't want a specific service.*

*Here is a list of the cookies we have defined as 'Functionality'.*

*Blackadders cookies*

- We do not use this type of cookie at present.*

*Targeting*

*'Targeting' cookies are linked to services provided by third parties, such as 'Like' buttons and 'Share' buttons. The third party provides these services in return for recognising that you have visited our website. We use 'Targeting' cookies to...*

- Link to social networks like Facebook, who may subsequently use information about your visit to target advertising to you on other websites*
- Provide advertising agencies with information on your visit so that they can present you with adverts that you may be interested in*

*You can control whether or not these cookies are used, but preventing them may stop us from offering you some services. All of these cookies are managed by third parties, and you may alternatively use the third parties' own tools to prevent these cookies.*

*Here is a list of the cookies we have defined as 'Targeting'.*

*Blackadders cookies*

- We do not use this type of cookie at present.*

*Further reading & Information about cookies*

*Useful information about cookies can be found at: <http://www.allaboutcookies.org>*

*International Chamber of Commerce United Kingdom*

*Information on the ICC (UK) UK cookie guide can be found on the ICC website section: <http://www.international-chamber.co.uk/our-expertise/digitaleconomy>.*