Privacy Notice for Instructing Party

Name of Policy:	Privacy notice for Instructing Party
Prepared by:	Complaints and Compliance Officer
Signed off By:	Company Directors
Date Effective From:	01/10/2024
Date Updated:	05/11/2026
Renewal Date:	The policy will be reviewed every year or earlier, if required due to any changes in regulation.

Introduction

Medical Expert Witness Alliance (MEWA) LLP is committed to protecting the personal data we collect and process about you in compliance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. This privacy notice explains how we handle personal data for instructing parties, clients, and third parties, the legal bases for processing, and your rights regarding the data we hold.

For questions or concerns regarding this notice, please contact our Compliance Officer at compliance@mewa.org.uk.

1. What Information We Collect

Client

We may collect the following personal data about clients, either directly or via the instructing party:

1.1. **Identification Data**: Name, date of birth, age, gender.

1.2. **Contact Details**: Telephone number, email address, home address.

1.3. **Case Details**: Information relating to case proceedings.

1.4. **Documents for Review**: Medical records, court documents, photographs, and other relevant documents, including criminal conviction data when necessary.

Instructing Party (acting on behalf of the client)

We collect the following personal data about instructing parties:

1.5. **Identification Data**: Name of the company, solicitors' firm, or contact person dealing with the case.

1.6. **Contact Details**: Telephone number, email address, business address.

2. Legal Basis for Processing

We process personal data only where we have a lawful basis under the UK GDPR. These include:

2.1. **Contractual Necessity**: To fulfil our contract with you or the client.

2.2. **Legal Obligation**: To comply with legal obligations, such as tax or reporting requirements.

2.3. **Legitimate Interests**: Where necessary to conduct our business and perform essential tasks such as case management, unless overridden by your rights or interests. A Legitimate Interests Assessment (LIA) has been conducted to ensure your data rights are protected.

2.4. **Special Category and Criminal Offence Data**: Health and other special category data, and criminal offence data, are processed under the additional conditions set out in Section 3. We do not rely on consent as the lawful basis for processing client data in connection with a case.

3. Special Category and Criminal Offence Data

We may need to process special category data (e.g., health information or racial/ethnic origin) and criminal offence data in connection with providing expert witness services. We process this data only on the following conditions:

- Special category data (such as health information) is processed where it is necessary for the establishment, exercise or defence of legal claims (Article 9(2)(f) UK GDPR).
- Criminal offence data is processed where it is necessary for the purpose of, or in connection with, legal proceedings or legal claims (Article 10 UK GDPR and paragraph 33 of Schedule 1 to the Data Protection Act 2018).

We do not rely on consent for this processing. Instructing parties are responsible for ensuring they are entitled to share their client's information with us for the purpose of obtaining expert evidence.

4. How Your Information is Processed

Your personal information is obtained either directly from you or via the instructing party and is added to our secure systems for case management.

Directly from the Client

The personal information of the client is added to our secure database and relevant information is used to identify the appropriate expert witness for their case; as well as to engage in communication and correspondence with them regarding the following:

- Providing quotations/ invoices for our services
- Your availability for assessments (if required)
- Obtaining your relevant documents that you need the expert witness to review
- Keeping you up-to-date with the progress of the case(s)
- Any other communication relevant to the case e.g. any information from the expert witness that needs to be relayed to yourselves.
- Providing expert witness reports.

Via the Instructing Party

The personal information of the instructing party is added to our secure database and is used to engage in communication and correspondence with them regarding the following:

- Obtaining information about the case/ client(s)
- Providing Quotations/ invoices for our services
- Obtaining relevant documents of the client that you need the expert witness to review
- Keeping you up-to-date with the progress of the case(s)
- Any other communication relevant to the case e.g. any information from the expert witness that needs to be relayed to yourselves.
- Providing expert witness reports

5. Data Security and Protection

We implement technical and organisational measures to safeguard your personal data:

- Encryption: Data is encrypted both in transit and at rest.
- Access Control: Access to your data is restricted to authorised personnel only.
- Secure Storage: Paper records are stored in locked cabinets, and electronic data is stored in secure cloud environments.
- Secure File Transfer: Documents are sent to instructing parties and expert witnesses using secure, encrypted file-sharing platforms (ShareFile and Dropbox), with access limited to the intended recipients.
- Monitoring: CCTV may be used in our offices for security purposes in compliance with UK GDPR, and footage is only accessible to authorised personnel for legitimate business purposes.

6. Data Transfers

MEWA stores personal data in the UK wherever possible. However, we use ShareFile (provided by Progress Software) and Dropbox to transfer documents securely to instructing parties and expert witnesses, and these providers store and process documents, file information (such as file names and access logs) and user account details in the United States. These transfers are protected by appropriate safeguards under UK GDPR, such as the UK International Data Transfer Agreement (IDTA), the UK Addendum to the EU Standard Contractual Clauses, or the UK Extension to the EU–US Data Privacy Framework. Documents are encrypted in transit and at rest, and access is limited to the intended recipients.

7. How Long We Keep Your Data

- **Client Data**: We retain client data and documents for 6 years from the submission of the expert witness report. After this period, all personal data and documents will be securely deleted.

- **Instructing Solicitor Data**: Instructing Party data is retained for the duration of the professional relationship and for a reasonable period thereafter in accordance with MEWA's Document Retention and Disposal Policy.

8. Your Rights

You have the following rights regarding your personal data under the UK GDPR:

- **Right to be informed**: To know how your data is being used.
- **Right of access**: To request a copy of your personal data.
- **Right to rectification**: To correct any inaccurate or incomplete data.
- **Right to erasure**: To request deletion of your data in certain circumstances.
- **Right to restrict processing**: To limit how your data is processed.
- **Right to data portability**: To receive your data in a structured, commonly used format.
- **Right to object**: To object to data processing based on legitimate interests.
- **Rights related to automated decision-making**: MEWA does not carry out automated decision-making or profiling that produces legal or similarly significant effects.

We do not rely on consent to process personal data in connection with a case, so the right to withdraw consent does not apply to that processing. If we ask for your consent for any other purpose, you can withdraw it at any time by contacting compliance@mewa.org.uk. Withdrawing consent will not affect the lawfulness of any processing carried out before withdrawal.

Further information on your data protection rights is available at

https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/

To exercise any of these rights, please contact compliance@mewa.org.uk.

9. Who We Share Your Data With

We only share your personal information with:

- Relevant **MEWA staff members** (e.g., case managers, supervisors) and the **expert witness** for your case.
- **Third-party processors**: we make certain personal data available to third parties who provide services to us, such as IT providers, cloud storage, secure file-sharing providers (ShareFile and Dropbox) and debt collection agencies, all of whom comply with the UK GDPR through Data Processing Agreements. We do so on a "need to know basis" and in accordance with applicable data protection and data privacy laws.
- **Other third parties**: We may also disclose personal data to third parties on other lawful grounds, including:

- To comply with our legal obligations, including where necessary to abide by law, regulation or contract, or to respond to a court order, administrative or judicial process
- In response to lawful requests by public authorities (including for national security or law enforcement purposes)
- As necessary to establish, exercise or defend against potential, threatened or actual litigation
- Where necessary to protect the vital interests of our employees or another person
- In connection with the sale, assignment or other transfer of all or part of our business; or
- With your freely given and explicit consent.

10. Use of Secure AI-Assisted Systems

MEWA LLP uses Microsoft 365 Copilot, provided by Microsoft under its Products and Services Data Protection Addendum, to support its work in providing expert witness services. This includes AI assistants that MEWA has built within Microsoft 365 Copilot for its own use. These tools may process personal data contained within case documents, emails and correspondence for any purpose connected with MEWA's services, including, for example:

- Drafting, reviewing, proofreading and summarising documents and correspondence;
- Supporting case management, such as handling enquiries, identifying suitable expert witnesses and tracking case progress; and
- Supporting MEWA's business operations, such as complaints handling, quality assurance and compliance.

In using these tools, we apply the following safeguards:

- Microsoft processes the data on our behalf as our data processor, under a written data processing agreement;
- Data is stored in Microsoft's UK data centres and, under normal operations, processed in the UK. We have disabled optional third-party AI models, web search, and third-party AI assistants that would process data outside Microsoft's UK service;
- Your data is not used to train AI models;
- Any document produced with AI assistance and kept on your case file is retained in line with Section 7;
- We do not use AI to record or transcribe calls or meetings with you, solicitors or expert witnesses; and
- All AI output is reviewed and validated by a member of MEWA staff before it is relied on or shared.

MEWA does not use automated decision-making that produces legal or similarly significant effects in connection with your data. All expert opinions, case decisions, and communications are reviewed and finalised by appropriately qualified professionals.

If we introduce any new AI-assisted system that processes your personal data, we will update this notice before it is used.

If you require further information about the safeguards applied to AI-assisted processing, you may contact compliance@mewa.org.uk.

11. Complaints and Concerns

If you have concerns about how your data is being processed, please contact our Compliance Officer at compliance@mewa.org.uk. If your issue is not resolved, you can lodge a complaint with the Information Commissioner's Office (ICO) at www.ico.org.uk/concerns.

12. Updates to This Notice

This notice will be reviewed annually or earlier if required due to changes in regulation. Should no substantive changes be required, it will move to the next review cycle.

Contact Information

For any queries or requests related to this notice, please contact:

- Compliance Officer: compliance@mewa.org.uk

- Company Directors: MEWA, Pure Offices, Broadwell Road, Oldbury, B69 4BY