



BARRISTER PRIVACY POLICY

1. INTRODUCTION

Please read the following information carefully. This privacy notice contains information about the information collected, stored and otherwise processed about you and the reasons for the processing. It also tells you who I share this information with, the security mechanisms I have put in place to protect your data and how to contact me in the event you need further information.

I collect, use and am responsible for personal information about you. When I do this I am the 'controller' of this information for the purposes of the GDPR and the Data Protection Act 2018. I am registered with the Information Commissioner's Office (ICO) as a Data Controller for the personal data that I hold and process as a barrister.

If you need to contact me about your data or the processing carried out you can use the contact details at the end of this document.

2. WHAT DO I DO WITH YOUR INFORMATION?

2.1 Information collected

When carrying out the provision of legal services or providing a reference I collect some or all of the following personal information that you provide:

- personal details
- family details
- lifestyle and social circumstances
- goods and services
- financial details
- education, training and employment details

Where relevant, I may also need to process special category personal data that reveals your:

- physical or mental health details
- racial or ethnic origin
- political opinions
- religious, philosophical or other beliefs
- trade union membership
- sex life or sexual orientation
- genetic information
- biometric information for the purpose of uniquely identifying a natural person
- criminal proceedings, outcomes and sentences, or related security measures
- other personal information relevant to instructions to provide legal services, including information specific to the instructions in question.

2.2 Information collected from other sources

The same categories of information may also be obtained from third parties, such as:



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- members of Chambers,
- experts,
- members of the public,
- your family and friends,
- witnesses,
- courts and other tribunals,
- suppliers of goods and services,
- investigators,
- government departments,
- regulators,
- public records and registers

3. PERSONAL INFORMATION: PURPOSES

3.1 How your Personal Data may be used

I may use your personal information for the following purposes:

- to promote and market the services of the Barristers
- to train barristers
- to recruit staff and pupils
- to assess applications for tenancy, pupillage, mini-pupillage and work-shadowing opportunities
- to fulfil equality and diversity and other regulatory requirements,
- to manage matters relating to employment, including payroll [and pensions]
- to respond to requests for references
- to publish legal judgments and decisions of courts and tribunals
- to respond to potential complaints or make complaints
- to carry out anti-money laundering and terrorist financing checks
- as otherwise required or permitted by law.

3.2 Whether information has to be provided by you, and why

If I have been instructed by you or on your behalf on a case, your personal information has to be provided, to enable me to provide you with advice or representation or the reference, and to enable me to comply with my professional obligations.

3.3 The legal basis for processing your personal information

In order that I can provide legal services and representation for you, I must process your personal data. The UK General Data Protection Regulation (the UK GDPR) requires that where I process personal data, I must have a lawful basis for doing so. The lawful bases identified in the UK GDPR that I seek to rely upon are as follows:

- Consent of the data subject – where this required, I will ensure that I have your specific consent for processing your data for the specified purposes. You will also have the right to withdraw your consent at any time. Where you do so this will not



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affect the legality of data processing which had taken place prior to your withdrawal of consent.

- Performance of a contract with the data subject, or to take steps to enter into a contract.
- Compliance with a legal obligation – to comply with various regulatory and professional obligations, e.g. filing tax returns with HMRC.
- The legitimate interests of my business or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

Examples of legitimate interests include but are not limited to:

- Provision of legal services and advice.
- For purposes of practice management, accounting and debt recovery;
- For completion of professional regulatory requirements.
- Processing for direct marketing purposes, or to prevent fraud.
- Reporting threats to public security.
- Such other purposes as set out below.

3.4 Special category processing

The UK GDPR specifies that where I process special category data, I must rely upon certain exemptions in order to do so lawfully. The following exemptions are applicable in my practice

1. I have your explicit consent to do so; or
2. It is necessary for the exercise or defence of legal claims or judicial acts.

3.5 Criminal data processing

On occasion, I process data relating to criminal offences where it is necessary for:

- The purpose of, or in connection with, any legal proceedings;
- The purpose of obtaining legal advice; or
- The purposes of establishing, exercising or defending legal rights
- Where I have your explicit consent to do so.

3.6 Who will I share your personal information with?

If you are a client, some of the information you provide will be protected by legal professional privilege unless and until the information becomes public in the course of any proceedings or otherwise. As a barrister I have an obligation to keep your information confidential, except where it otherwise becomes public or is disclosed as part of the case or proceedings.

It may be necessary to share your information with the following:

- information processors, such as IT support staff, email providers, information storage providers



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- in the event of complaints, the Head of Chambers and members of Chambers who deal with complaints, the Bar Standards Board and the Legal Ombudsman
- other regulatory authorities
- current, past or prospective employers or employees
- in the case of recruitment of barristers to or from other chambers, your current, past and prospective chambers
- Instructing solicitors
- education and examining bodies
- legal professionals
- experts and other witnesses
- prosecution authorities
- courts and tribunals
- Chambers' staff
- trainee barristers
- lay and professional clients of Members of Chambers
- family and associates of the person whose personal information Chambers is processing
- current, past or prospective employers
- education and examining bodies
- business associates, professional advisers and trade bodies, e.g. the Bar Council
- the intended recipient, where you have asked Chambers to provide a reference

I may be required to provide your information to regulators, such as the Bar Standards Board, the Financial Conduct Authority or the Information Commissioner's Office. In the case of the Information Commissioner's Office, there is a risk that your information may lawfully be disclosed by them for the purpose of any other civil or criminal proceedings, without my consent or yours, which includes privileged information.

I may also be required to disclose your information to the police or intelligence services, where required or permitted by law.

3.7 Transfers to third countries and international organisations

I do not transfer any personal data to third countries or international organisations.

4. HOW LONG WILL I STORE YOUR PERSONAL INFORMATION?

4.1 I will normally store all your information:

- As per the Data Retention Policy (copy available on request). This is because it may be needed for potential legal proceedings/ other period – provide justification. At this point any further retention will be reviewed and the information will be marked for deletion or marked for retention for a further period. The latter retention period is likely to occur only where the



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information is needed for legal proceedings, regulatory matters or active complaints. Deletion will be carried out as soon as reasonably practicable after the information is marked for deletion.

- I will store some of your information which I need to carry out conflict checks for the rest of my career. However, this is likely to be limited to your name and the name of the case. This will not include any information within categories (g) to (o) above.

Where various pleadings and documents have been drafted, they may be retained for learning purposes and legal research. Where this is the case, I will anonymise the personal information/redact information which may identify an individual/risk assess the continued retention of the documents.

4.2 Consent

As explained above, I am relying on your explicit consent to process your information in categories (g) to (o) above. You provided this consent when you agreed that I would provide legal services or you asked me to provide a reference.

You have the right to withdraw this consent at any time, but this will not affect the lawfulness of any processing activity I have carried out prior to you withdrawing your consent. However, where I also rely on other bases for processing your information, you may not be able to prevent processing of your data. For example, if you have asked me to work for you and I have spent time on your case, you may owe me money which I will be entitled to claim.

If there is an issue with the processing of your information, please contact my clerks using the contact details below.

4.3 Your Rights

The UK GDPR gives you specific rights in terms of your personal data. For example, you have the right of access to the information I hold and what I use it for; you can ask for a copy of the personal information I hold about you.

You can ask me to correct any inaccuracies with the personal data I hold, and you can ask me to stop sending you direct mail or emails or, in some circumstances, ask me to stop processing your details.

Finally, if I do something irregular or improper with your personal data, you can complain to the ICO if you are unhappy with how I have processed your information or dealt with your query. You may also seek compensation for any distress you are caused or loss you have incurred.

You can find out more information from the ICO's website:

<http://ico.org.uk/for-the-public/personal-information>

4.4 Marketing Emails



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Please note if you wish to unsubscribe from any marketing emails that you have signed up for, you can do so by following the instructions at the end of each marketing email.

5. HOW TO MAKE A COMPLAINT?

The UK GDPR also gives you the right to lodge a complaint with the Information Commissioners' Office. The Information Commissioner's Office can be contacted at <http://ico.org.uk/concerns/>.

6. CHANGES TO THIS PRIVACY NOTICE

I continually review my privacy practices and may change this policy from time to time. When I do it will be placed on the website.

7. CONTACT DETAILS

If you have any questions about this privacy notice or the information I hold about you, please contact me or my clerks or the Office Manager by email at clerks@parklaneplowden.co.uk or email the Office Manager Rachael.Duck@plowdenfacilities.co.uk.