

## **PRIVACY POLICY**

### **General Information Protection Regulation (“GDPR”)**

**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 Chambers shares this information with, the security mechanisms Chambers has put in place to protect your information and how to contact Chambers in the event you need further information.**

### **Who Am I?**

Dere Street Barristers collects, uses and is responsible for personal information about you. When Chambers does this it is the ‘controller’ of this information for the purposes of the GDPR and the Data Protection Act 2018.

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

### **What does Dere Street do with your information?**

Chambers collects some or all of the following personal information that you provide:

- a.** Personal details
- b.** Family details
- c.** Lifestyle and social circumstances
- d.** Goods and services
- e.** Financial details
- f.** Education, training and employment details
- g.** Physical or mental health details
- h.** Racial or ethnic origin
- i.** Political opinions
- j.** Religious, philosophical or other beliefs
- k.** Trade union membership
- l.** Sexual orientation
- m.** Genetic information
- n.** Biometric information for the purpose of uniquely identifying a natural person

- o. Criminal proceedings, outcomes and sentences, or related security measures
- p. Other personal information relevant to instructions to provide legal services, including information specific to the instructions in question.

**Information collected from other sources.**

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

**How Chambers uses your personal information:**

**Purposes**

Chambers may use your personal information for the following purposes:

- i. To promote and market the services of the Barristers
- ii. To train barristers
- iii. To recruit staff and pupils
- iv. To assess applications for tenancy, pupillage, mini-pupillage and work-shadowing opportunities
- v. To fulfil equality and diversity and other regulatory requirements
- vi. To procure goods and services
- vii. To manage matters relating to employment, including payroll and pensions
- viii. To respond to requests for references
- ix. To publish legal judgments and decisions of courts and tribunals
- x. To respond to potential complaints or make complaints
- xi. To carry out anti-money laundering and terrorist financing checks
- xii. As otherwise required or permitted by law.

**Marketing and promotion**

In relation to personal information collected for marketing purposes, the personal information consists of:

- Names, contact details, and name of organisation
- The nature of your interest in Chambers' marketing
- Your attendance at Chambers events.

This will be processed so that you can be provided with information about Chambers, the Barristers, Mediators and Arbitrators, and to invite you to events.

You may contact Chambers using the contact details at the end of this document if you no longer wish to receive such invitations or information.

### **Whether information has to be provided by you, and why**

If you apply to Chambers for a position or are seeking a reference or are a member of staff your personal information has to be provided to Chambers, so that your application/reference can be properly assessed/your employment records, pay, and pensions can be administered and to enable Chambers to comply with its regulatory obligations, and to keep accounting records.

If you are offering or providing Chambers with goods or services your information may be processed in relation to such offers or contracts.

### **The legal basis for processing your personal information**

Chambers relies on the following as the lawful bases to collect and use your personal information:

- If you have consented to the processing of your personal information, then Chambers may process your information for the Purposes set out above to the extent to which you have consented to Chambers doing so.
- In relation to information in categories (g) to (o) above (these being categories which are considered to include particularly sensitive information and which include information about criminal convictions or proceedings), Chambers is entitled by law to process the information where the processing is necessary for legal proceedings, legal advice, or otherwise for the establishment, exercise or defence of legal rights.
- In relation to information which is not in categories (g) to (o) above, Chambers relies on its legitimate interests and/or the legitimate interests of a third party in carrying out the processing for the Purposes set out above.
- In relation to information which is in categories (g) to (o) above (these being categories which include particularly sensitive information and which include information about criminal convictions or proceedings), Chambers relies on your consent for any processing for the purposes set out in purposes (i), (ii), (vi) and (viii) above. However, if you do not consent to processing for the purpose of providing a reference Chambers will be unable to take or provide a reference. This is because Chambers needs to be able to retain all information about you to provide an informed and complete reference.
- The processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on Chambers or you in connection with employment, social security or social protection.
- The processing is necessary for the assessment of your working capacity or health or social care purposes.
- The processing of information in categories (g), (h), (j) and (l), is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between members of staff, tenants, pupils and mini-pupils with a view to enabling such equality to be promoted or maintained.

- The processing is necessary to prevent or detect unlawful acts where it is in the substantial public interest and it must be carried out without consent so as not to prejudice those purposes.
- In certain circumstances processing may be necessary in order that Chambers can comply with a legal obligation to which it is subject (including carrying out anti-money laundering or terrorist financing checks).

### **Who will Chambers share your personal information with?**

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

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

Chambers 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 Chambers' consent or your consent, which includes privileged information.

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

### **Sources of information**

The personal information Chambers obtains may include information obtained from:

- Legal professionals
- Experts and other witnesses
- Prosecution authorities
- Courts and tribunals
- Trainee barristers
- Lay and professional clients of members of Chambers
- Family and associates of the person whose personal information Chambers is processing
- In the event of complaints, the Head of Chambers, other members of Chambers who deal with complaints, the Bar Standards Board, and the Legal Ombudsman
- Other regulatory authorities
- 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.
- Data processors, such as IT support staff, email providers and data storage providers
- Public sources, such as the press, public registers and law reports.

### **Transfer of your information outside the UK**

This privacy notice is of general application and as such it is not possible to state whether it will be necessary to transfer your information out of the UK in any particular case or for a reference. However, if you reside outside the UK or your case or the role for which you require a reference involves persons or organisations or courts and tribunals outside the UK then it may be necessary to transfer some of your information to that country outside of the UK for that purpose. If you are in a country outside the UK or if the instructions you provide come from outside the UK then it is inevitable that information will be transferred to those countries. If this applies to you and you wish additional precautions to be taken in respect of your information please indicate this when providing initial instructions.

If Chambers decides to publish a judgment or other decision of a Court or Tribunal containing your information then this will be published to the world.

Chambers will not otherwise transfer personal information outside the UK [except as necessary for the conduct of any legal proceedings].

If you would like any further information please use the contact details at the end of this document.

### **How long will Chambers store your personal information?**

Chambers will normally store all your information:

- Until at least 1 year after the expiry of any relevant limitation period, from [for example the date on which your employment terminates, the date of the last provision of service or goods, the date of the last payment made or received or the date on which all outstanding payments are written off, whichever is the latest]. This is because it may be needed for potential legal proceedings. 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 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.
- Equality and diversity data may be retained for 7 years in pseudonymised form for the purpose of research and statistics and complying with regulatory obligations in relation to the reporting of equality and diversity data.
- Names and contact details held for marketing purposes will be stored until Chambers becomes aware or is informed that the individual has ceased to be a potential client.
- Personal information held for recruitment purposes or in relation to pupillage or mini-pupillage will be stored for 7 years.

### **Consent**

As explained above, Chambers is relying on your explicit consent to process your information in categories (g) to (o) above. You provided this consent when you applied to become a member of staff, tenant, pupil or mini-pupil or you asked Chambers 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 carried out prior to you withdrawing your consent. However, where Chambers also relies on other bases for processing your information, you may not be able to prevent processing of your information.

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

### **Your Rights**

Under the GDPR, you have a number of rights that you can exercise in certain circumstances. These are free of charge. In summary, you may have the right to:

- Ask for access to your personal information and other supplementary information;
- Ask for correction of mistakes in your information or to complete missing information Chambers holds on you;
- Ask for your personal information to be erased, in certain circumstances;
- Receive a copy of the personal information you have provided to me or have this information sent to a third party. This will be provided to you or the third party in a structured, commonly used and machine-readable format, e.g. a Word file;
- Object at any time to processing of your personal information for direct marketing;
- Object in certain other situations to the continued processing of your personal information;
- Restrict the processing of your personal information in certain circumstances;

If you want more information about your rights under the GDPR please see the Guidance from the Information Commissioners Office on Individual's rights under the GDPR.

If you want to exercise any of these rights, please:

- Use the contact details at the end of this document;
- Chambers may need to ask you to provide other information so that you can be identified;
- Please provide a contact address so that you can be contacted to request further information to verify your identity;
- Provide proof of your identity and address;
- State the right or rights that you wish to exercise.

Chambers will respond to you within one month from when it receives your request.

### **How to make a complaint?**

The GDPR also gives you the right to lodge a complaint with the Information Commissioners' Office if you are in the UK, or with the supervisory authority of the Member State where you work, normally live or where the alleged infringement of information protection laws occurred. The Information Commissioner's Office can be contacted at <http://ico.org.uk/concerns/>.

### **Future Processing**

Chambers does not intend to process your personal information except for the reasons stated within this privacy notice. If this changes, this privacy notice will be amended and placed on the Chambers' website at [www.derestreet.co.uk](http://www.derestreet.co.uk)

### **Changes to this privacy notice**

Chambers continually reviews its privacy practices annually and may change this policy from time to time. When it does an amended privacy notice will be placed on the Chambers' website.

### **Contact Details**



# **DS** DERE STREET BARRISTERS

If you have any questions about this privacy notice or the information Chambers holds about you, please contact Chambers using the contact details below.

The best way to contact Chambers is to write to the Head Clerk or Head of Administration at Dere Street Barristers, 14 Toft Green, York, YO1 6JT or email at [clerks@derestreet.co.uk](mailto:clerks@derestreet.co.uk)