

## **PRIVACY POLICY (Updated 15<sup>th</sup> September 2020)**

### **Privacy Notice for 3DJB**

In order to provide legal advice and representation, we need to collect and hold personal information. This may be your personal data or information relating to other parties involved in the matter. When Chambers does this it is the 'controller' of this information for the purposes of the GDPR and the Data Protection Act 2018. Depending on the circumstances, individual members of Chambers can be a 'controller' or 'processor' as defined by the Act. We will take all possible steps to protect personal information. We will ensure that we do not do anything that may infringe your rights or undermine your trust. This privacy notice describes the information we collect about you, how it is used and shared, and your rights regarding it.

### **Data Controller**

We are registered with the Information Commissioner's Office ('ICO') as a Data Controller for the personal data that we hold and process as barristers. Our registered address is 3DJB, 15 Took's Court, Holborn, London, EC4A 1LB ZA658180. Our Co- Data Protection Leads are Elizabeth Wark ([ewark@3djb.co.uk](mailto:ewark@3djb.co.uk)) and Richard Budworth ([rbudworth@3djb.co.uk](mailto:rbudworth@3djb.co.uk)). They can be contacted by email.

### **Data Collection**

The vast majority of the information that we hold about you is provided to us by yourself or gathered by us in the course of your case and/or proceedings. Your solicitor and/or ourselves will tell you why we need the information and how we will use it.

### **What data do we process about you?**

We collect and process both personal data and special categories of personal data as defined in the GDPR. This may include:

- Name
- Email address
- Phone number
- Address
- Payment or bank details
- Date of birth
- Next of kin details
- Details pertaining to education and employment
- Information on your background and current circumstances
- Financial information

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

- Racial or ethnic origin
- Education, training or employment details
- Lifestyle and social circumstances
- Political opinions
- Religious and philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data for the purpose of uniquely identifying a natural person
- Data concerning health
- Sex life and sexual orientation

On occasion, we may need to process personal data relating to criminal convictions and offences.

### **Data sources**

The information obtained by Chambers 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
- the general public in relation to the publication of legal judgments and decisions of courts and tribunals

- data processors, such as IT support staff, email providers, data storage providers
- public sources, such as the press, public registers and law reports

### **Our lawful basis for processing your information**

The General Data Protection Regulation ('GDPR') requires all organizations that process personal data to have a lawful basis for doing so. The lawful bases identified in the GDPR that we seek to rely on are as follows:

- Consent of the data subject
- Performance of a contract with the data subject or to take steps to enter into a contract
- Compliance with a legal obligation
- The legitimate interests of our 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:**

- Where the data subject is a client or in the service of the controller
- Provision of legal services and advice
- Processing is necessary for legal proceedings or otherwise for the establishment or defence of legal rights
- Processing is necessary for the assessment of your working capacity or health or social care purposes
- Processing is necessary to ensure network and information security, including preventing unauthorized access
- For purposes of practice management, accounting and debt recovery
- For completion of professional regulatory or other legal requirements
- Processing for direct marketing purposes, or to prevent fraud or unlawful acts; and
- Reporting threats to public security

### **We use your information to:**

- Provide legal advice and representation
- Assist in training pupils and mini pupils
- Investigate and address your concerns
- Communicate with you about news, updates and events
- Investigate or address legal proceedings relating to your use of our services
- Assist in any tendering or panel membership applications
- Assist in any other applications for the purpose of professional development or career progression
- Communicate legal updates and judgments to other legal professionals

- For marketing purposes
- to carry out anti-money laundering and terrorist financing checks
- As otherwise as required or permitted by law

**We may share your personal data with:**

- Courts and tribunals
- Instructing solicitors or other lawyers involved in your case
- A pupil or mini pupil, under our training
- Opposing Counsel, for the purposes of resolving the case
- Our chambers management and staff who provide administrative services
- Our regulator or legal advisors in the event of a dispute or other legal matter
- Law enforcement officials, government authorities, or other third parties to meet any legal obligations
- Legal directories, for the purpose of professional development
- Any relevant panel or tendering committee, for the purpose of professional development
- Accountants and banking officials
- Regulators or arbitrators, where complains or disputes arise
- Any other party where we ask you for consent, and you consent, to the sharing, for example family members or associates

**Transfers to third countries and international organizations**

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 EEA in any particular case or for a reference. However, if you reside outside the EEA or your case or the role for which you require a reference involves persons or organisations or courts and tribunals outside the EEA then it may be necessary to transfer some of your information to that country outside of the EEA for that purpose. If you are in a country outside the EEA or if the instructions you provide come from outside the EEA 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.

Some countries and organisations outside the EEA have been assessed by the European Commission and their information protection laws and procedures found to show adequate protection. The list can be found [here](#). Most do not. If your information has to be transferred outside the EEA, then it may not have the same protections and you may not have the same rights as you would within the EEA.

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

## **Data retention**

We retain your personal data while you remain a client/supplier/employee/or work experience student unless you ask us to delete it. Our Data Retention and Disposal Policy (copy available on request) details how long we hold data for and how we dispose of it when it no longer needs to be held. We will delete or anonymise your information at your request unless:

- There is an unresolved issue, such as a claim or dispute
- We are legally required to; or
- There are overriding legitimate business interests to do so

## **Your Rights**

The GDPR gives you specific rights in terms of your personal data. For example, you have to be informed about the information we hold and what we use it for; you can ask for a copy of the personal information we hold about you; you can ask us to correct any inaccuracies with the personal data we hold, and you can ask us to stop sending you direct mail, or emails, or in some circumstances ask us to stop processing your details. Finally, if we do something irregular or improper with your personal data, you can seek compensation for any distress you are caused or loss you have incurred.

A copy of the Data Protection Act 2018 can be found here:

<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

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

<http://ico.org.uk/for-the-public/personal-information> and this is an organization that you can complain to if you are unhappy with how we have dealt with your query.

## **Exercising your rights**

If you want to exercise any of your rights, including requesting a correction of or copy of your personal information, please:

- Contact chambers at [clerks@3djb.co.uk](mailto:clerks@3djb.co.uk) or using the postal/phone information on the home page of this website
- 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.

**Marketing opt-outs**

You may opt out of receiving emails and other messages from my practice by following the instructions in those messages.

**We will occasionally update our privacy notice**

When we make significant changes, we will notify you of these by email. We will also publish the updated notice on our website.