

KINGS CHAMBERS

A SET APART FROM

THE REST



PRIVACY NOTICE – LEGAL SERVICES

Document	Kings Chambers Privacy Notice - Legal Services
Version	1.3
Date	February 2020
Author	Kings Chambers
Barrister	Francesca P. Gardner
Classification	Public

Please read the following information carefully. This Privacy Notice (the 'Notice') contains information about what data we collect, process and store and the reasons for obtaining and processing the data. The Notice also sets out who we share information with, the steps we take to ensure information is kept secure, the rights of data subjects in respect of personal data and how to contact us in the event of a complaint.

Kings Chambers

T: 0345 034 3444
E: clerks@kingschambers.com

Manchester

36 Young Street,
Manchester, M3 3FT
DX: 718188 MCH 3

Leeds

5 Park Square,
Leeds, LS1 2NE
DX: 713113 LEEDS PARK SQ

Birmingham

Embassy House, 60 Church Street,
Birmingham, B3 2DJ
DX: 13023 BIRMINGHAM

About us

Francesca P. Gardner (the “Barrister”) provides legal services (the “Legal Services”) in accordance with instructions received from the professional client (the “Client”) and/or the lay client (the “Lay Client”). The Legal Services may include acting as an arbitrator, expert determiner, early neutral evaluator or mediator.

The provision of the Legal Services by the Barrister through Kings Chambers (the “Chambers”) and its employees is hereafter referred to as the Practice.

The Barrister is the data controller for the purpose of applicable data protection legislation including the General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018 (“DPA”) in respect of personal data supplied to the Practice in order to provide the Legal Services.

Chambers and its employees act as a data processor on behalf of the Barrister.

If you have any questions about this Notice or about personal data you can contact the Barrister and/or the Chambers Compliance Officer via email at compliance@kingschambers.com or write to us at:

Compliance Officer
Kings Chambers
36 Young Street
Manchester
M3 3FT

The Compliance Officer will forward all relevant enquiries to the Barrister.

What personal information do we collect?

In order to allow us to provide Legal Services we may collect the following information from the Client and/or the Lay Client that relates to the legal matter that we are instructed on:

- Name of Client/Lay Client;
- Client’s/Lay Client’s Organisation or Business Name;
- Contact information for the Client and/or Lay Client (e.g. address, email address, telephone number);
- Identification documents;
- Case name;
- Case details (which may include personal information relating to third parties involved in the case, further personal information relating to the Lay Client and/or Client, special categories of data, such as medical, rehabilitation, sexual orientation, social care history and records, details of religious or other beliefs, details of any relevant criminal convictions and details about actual or potential witnesses in the case); and
- Fee and/or billing details

The Client and/or the Lay Client will usually be the source of any personal information that we hold.

How do we use the personal information?

All personal information that we collect in relation to the provision of Legal Services will be recorded, used and protected by the Practice in accordance with applicable data protection legislation and this Notice.

We will process and store the personal data and sensitive personal data (if applicable) provided by the Client and/or the Lay Client to us in order to provide the Legal Services.

In the case of personal data, the legal bases that we rely upon are that:

- The processing is necessary for the performance of the contract to provide the Legal Services to the Client and/or the Lay Client;
- The processing is necessary in order to comply with legal obligations to which the Practice is subject, such as, complying with court directions or investigations by the Legal Services Ombudsman, the Bar Standards Board, the Information Commissioner's Office, or any other statutory regulator; and/or
- The processing is necessary for the purposes of legitimate interests pursued by the Practice, such as, for the purpose of conflict-checking, for use in the defence of potential complaints, legal proceedings or fee disputes or fee recovery, for keeping anti-money laundering records, for training pupils and mini-pupils in confidence, for exercising a lien, or for otherwise complying with our professional obligations set out in the Bar Standards Board Handbook.

In the case of sensitive personal data, the legal bases that we rely upon are:

- In some cases, the personal data may have been manifestly made public by the Client and/or the Lay Client;
- The processing is necessary for the establishment, exercise or defence of legal claims. Where litigation is contemplated by the Client and/or the Lay Client, these claims may be the claims that we are asked to advance or defend on your behalf. Alternatively, the personal data may be retained for the defence of potential complaints and legal proceedings against ourselves; and/or
- The processing is necessary for reasons of substantial public interest, such as complying with court orders, submitting skeleton arguments or minutes of orders to court, to comply with investigations carried out by the Legal Services Ombudsman, the Bar Standards Board, the Information Commissioner's Office, or any other statutory regulator and/or to otherwise comply with our professional obligations as set out in the Bar Standards Board Handbook.

In the case of criminal convictions, we will only use or process this information to provide the Legal Services, either in connection with legal proceedings (including prospective legal proceedings), providing legal advice, or for the purpose of establishing, exercising or defending legal rights, including claims brought on behalf of the Client and/or Lay Client and also against ourselves.

Information collected from other sources

In the provision of Legal Services it is likely that information will be provided solely by the Client and/or the Lay Client (if instructions are provided through a direct or public access route); however from time to time and depending on the nature of the instruction, information may be collected via another party. Such information will only be processed in order to provide the Legal Services or to enable the Practice to act as an arbitrator, expert determiner, early neutral vendor or mediator and where applicable, for the purpose of conflict checking, for use in the defence of potential complaints, legal proceedings or fee disputes, keeping anti-money laundering records, for training pupils and mini-

pupils in confidence, for exercising a lien, or for otherwise complying with our professional obligations as set out in the Bar Standards Board Handbook, for complying with court directions, or for cooperating with investigations by the Legal Services Ombudsman, the Bar Standards Board, the Information Commissioner's Office, or any other statutory regulator.

The recipients of categories of the personal data

We will not use personal data for purposes that are not clear at the time of provision and personal data will not be disclosed outside of the Practice except where necessary for the provision of the Legal Services and in accordance with the Barrister's or the Practice's professional obligations.

Personal data may be shared with the following:

- Courts and other tribunals that we are instructed to represent the Lay Client before or to whom documents are presented;
- Representatives of other parties, in accordance with our instructions;
- The Legal Ombudsman and other regulatory authorities;
- The Client and/or the Lay Client; and
- Pupils and mini-pupils in confidence

In the course of providing the Legal Services, it may also be necessary to share personal data with potential witnesses, including experts, and friends or family of the Lay Client where we are authorised to do so and in accordance with our instructions.

We may share some personal data with third parties in limited circumstances, which may include (a) if we are under a legal or regulatory duty to do so; (b) if it is necessary to do so to enforce our contractual rights; (c) to lawfully assist the police or security services with the prevention and detection of crime or terrorist activity; (d) where such disclosure is necessary to protect the safety or security of any persons and/or (e) otherwise as permitted under applicable law. We will only share any personal data in these circumstances in accordance with our professional obligations as set out in the Bar Standards Board Handbook.

Personal information will not be used for any other purpose than has been set out in this Notice.

Transfer of data outside the EEA

Please note that the Practice does not transfer data outside of the EEA in general. There may however be a requirement from time to time to transfer some or all of your personal data outside of the EEA if so required in order to progress your case or to provide the Legal Services. Where this happens, all necessary steps will be taken to ensure that data transferred outside of the EEA is afforded the same or similar safeguards and processes that we undertake within the EEA.

Marketing

Chambers carry out marketing activities which include events and seminars and communications via email, social media and other digital platforms. In the provision of marketing activities we may collect your name, address, email address, name of your organisation (if applicable), telephone number and details of your enquiry. Any personal data that you provide to us will only be used to administer and provide products and services you request or have expressed an interest in and to tailor marketing communications from us. We will not use your data for purposes that are not clear when you provide your details and will not disclose your data outside of Chambers except in limited circumstances.

Further information and a full copy of our Marketing Privacy Notice can be found on our website <https://www.kingschambers.com/privacy-policy>

Data Retention

The Practice will retain personal information for no longer than is reasonably necessary for the provision of the Legal Services and personal information will not be retained indefinitely or for reasons incompatible with relevant data protection legislation and the requirements of regulatory bodies such as the Bar Council.

Our standard data retention period for personal information provided to us for the purpose of providing the Legal Services is 15 years from the date last worked on a case, at which point the data will be securely deleted or destroyed, unless the case remains outstanding in some material respect after that period has expired. The period of 15 years is the long stop period specified for claims in section 14B of the Limitation Act 1980.

The Lay Client's name and contact information will be retained beyond this period and until it is no longer needed for conflict checking.

In certain cases, personal data related Legal Services may be retained for longer than 15 years where it is stored, for example, together with notes on other cases and the standard retention period has not expired in respect of those other cases and it is not reasonable or proportionate to separate the personal information relating to one case from another.

Data Security

We take the security of personal information seriously and the Practice has appropriate measures, safeguards and protocols in place to ensure that data is kept secure, is only accessed by those individuals authorised to do so and where there is a legitimate need to access the data. Appropriate and reasonable steps are in place to reduce the risk of unauthorised access to personal data held by the Practice (either through accidental disclosure or deliberate act) and in line with the Practice's obligations under applicable data protection legislation.

Rights

Under the General Data Protection Regulation and the Data Protection Act 2018, data subjects have a number of important rights regarding their personal information. In summary these rights are as follows:

- The right to request access to personal information;
- The right to request the correction of inaccurate information held about you by the Practice;
- The right to request a restriction of the processing of your personal information;
- The right to request that personal information held by the Practice is erased in certain circumstances;
- The right to request a copy of the personal information that has been provided to us;
- The right to object to the processing of personal information or the continued processing of personal information; and
- The right to request not to be subject to automated decision making

These rights are subject to the conditions and restrictions set out in the General Data Protection Regulation and the Data Protection Act 2018.

Further information regarding your rights can be found by visiting <https://www.ico.org.uk>

Should you wish to make a request to exercise any of the above rights you should contact us via email in the first instance to compliance@kingschambers.com or write to us at:

Compliance Officer
Kings Chambers
36 Young Street
Manchester
M3 3FT

When contacting us please ensure that you provide relevant information to allow us to identify you (this can include confirmation of any of the unique or personal identifiers we hold about you such as proof of identity or address) and state the right or rights that you wish to exercise. We may need to contact you to request further information to verify your identity.

We will respond to you within one month from when we receive a valid request.

Where to make a complaint

We hope that you are happy with our service and that we can resolve any issues or complaints that may arise. If you have a complaint regarding any aspect of your personal data or this Notice please write to us at compliance@kingschambers.com or via the address above.

In the event you are not satisfied with the outcome of your complaint, you may write to the Information Commissioner's Office via:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

You can also contact the Information Commissioner's Office by visiting <https://www.ico.org.uk>

Changes to this Privacy Notice

We aim to meet high standards and so our policies are subject to regular review. From time to time we may change this Notice and publish updated content to our website <https://www.kingschambers.com>