

PRIVACY NOTICE



ST JOHN STREET
CHAMBERS

This notice is important; you should read it carefully. It explains how the members of 18 St John Street Chambers ('Barristers', 'We', 'Us', 'Our') process your personal data and sets out some of your rights and entitlements in respect of that data.

Most commonly, we process personal data in order to provide legal services (in this document 'Legal Services' includes work as a mediator, arbitrator or consultant). However, we may process personal data for other compatible purposes as explained in more detail below.

The personal data we collect and process will vary depending upon the type of interaction we have with you, but it **can include particularly sensitive personal data such as information about religion, sex, ethnicity, health and criminal convictions**. Data such as this is known in legal terms as 'special categories of personal data'

If you provide personal data to us concerning a third party, you may be responsible for providing the third party with certain information about us. In many cases it is not reasonably practicable for us to directly provide the third party with the information set out in this Policy and where appropriate, you should provide this information to any such person.

This notice is written to be easy to read and does not provide exhaustive detail of every aspect of how our Barristers collect and use your personal data. If you want further information you can contact our Privacy Officer at any time.

We may change this policy from time to time. The most up-to-date version will always be on our website. This version was last updated on the 24th May 2018.

WHO WE ARE

18 St John Street Chambers is an unincorporated association. Each member of the association is an independent, self-employed barrister.

In the vast majority of cases, the **individual Barrister instructed to provide Legal Services will be the Data Controller**. Each Barrister is registered with the Information Commissioner as a data controller.

Although each barrister provides Legal Services on an independent basis, Barristers delegate some marketing and administrative functions to other Barristers who serve as officers of chambers (including the members of the Chambers Management Committee ('the CMC'), the Treasurer and the Head of Chambers). Those Barristers who serve as

officers of chambers ('Chambers' Officers') will employ staff and engage contractors to carry out the functions delegated to them.

In most cases Chambers' Officers will process data on behalf of the individual Barrister. However, in some circumstances Chambers' officers may jointly control the means and purposes for which personal data is processed and **in those circumstances Chambers' officers will be Data Controllers** for the purposes of the data protection legislation.

CONTACTING US

Naomi Callender is our Privacy Officer. If you wish to contact an individual Barrister or Chambers Officers regarding data protection, have any questions about our Policy or the way in which your information is used, or wish to exercise any of your rights as described in this Policy or under data protection laws, you can contact her using the details below. Naomi will pass all relevant enquiries on to the Barrister(s) concerned.

By post: 18 St John Street Chambers, Manchester, M3 4EA

By email: ncallender@18sjs.com

By telephone: 0161 278 1800

MAKING A COMPLAINT

In the first instance, we would prefer you to address your complaints to our Privacy Officer whose details are set out above. You may also refer to our Complaints Policy

However, you have the right to complain to the Information Commissioner's Office (<https://ico.org.uk/>) at any time if you think we may be in breach of relevant data protection legislation.

THE INFORMATION WE COLLECT

We have set out below some of the types of personal data we collect:

CATEGORY OF INFORMATION	EXAMPLES
Lay Client/Instructing Solicitor Identity Details	Names; Name of Organisation, Business, or Firm; Date of Birth
Lay Client/Instructing Solicitor Contact Details	Telephone, Email, Postal Address
Identification Documents	Passport, Driving License
Billing Details	Bank Details
Case Type	Commercial, Personal Injury, Criminal, Family
Case Name/Other Party Identity Details	Names, Name of Organisation or Business, Case Number
Case Details (information concerning individuals and organisations connected to or involved with a particular case)	Date of birth; gender; sex life; disability; entitlement to benefits; copies of passport, driving licence, utility bills, bank statements and similar documents; bank details; immigration status and work permits; information about criminal convictions, alleged criminal behaviour or sentences; trade union membership; other personal information contained in correspondence and

	documents which may be provided to us concerning parties involved with or connected to the case.
Technical and Security Information	IP Addresses, Access Control Systems, CCTV Systems

SOURCES OF INFORMATION

In addition to personal information provided by a data subject, Barristers also collect personal information from:

- Instructing Solicitors or other professional organisations
- Persons involved in a particular case such as potential witnesses or experts
- Parties to litigation and their representatives (including prosecuting authorities)
- Courts, Tribunals, Arbitrators and Mediators
- Publicly available sources including social media.

DO YOU NEED TO PROVIDE PERSONAL DATA? WHAT HAPPENS IF YOU DON'T.

You do not have to provide us with personal data. However, if you do not, we may not be able to provide Legal Services to you.

WHY WE PROCESS PERSONAL DATA & OUR LEGAL BASES FOR PROCESSING

The table below sets out the purposes for which we process personal data and the legal bases we rely on.

Most commonly, we process personal data in order to provide legal services (in this document 'Legal Services' includes work as a mediator, arbitrator or consultant).

However, we may process personal data for other, compatible purposes.

We rarely rely on consent as a legal basis for processing, however where we do you have the right to withdraw consent at any time. We may process your personal data on more than one basis depending on the purpose for which we are using your data. Please contact our Privacy Officer if you if you need details about the specific legal basis we are relying on to process your personal data.

PURPOSE OF PROCESSING	LEGAL BASIS FOR PROCESSING		
	PERSONAL DATA (ARTICLE 6(1) GDPR)	SPECIAL CATEGORY PERSONAL DATA (ARTICLE 9(2) GDPR)	CRIMINAL CONVICTION DATA (SCHEDULE 1 DP ACT 2018)
Deciding if we can accept instructions <i>When you contact us about a case we need to check we able to act. We need to consider details about the case to check if it is within our areas of expertise,</i>	(a) the data subject has given explicit consent to the processing; (b) processing is necessary for the performance of a contract to which the data subject is party	(a) the data subject has given explicit consent to the processing (e) processing relates to personal data which are manifestly made public by the data subject	Consent Legal Claims Judicial Act Personal Data in the Public Domain Regulatory requirements

<p><i>confirm we are available, and confirm we are able to be instructed by you.</i></p>	<p>or in order to take steps at the request of the data subject prior to entering into a contract.</p> <p>(c) processing is necessary for compliance with a legal obligation to which the controller is subject;</p> <p>(d) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.</p>	<p>(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity</p> <p>(g) processing is necessary for reasons of substantial public interest</p>	<p>relating to unlawful acts and dishonesty etc</p>
<p>Providing Legal Services</p> <p><i>In order to provide legal services we need to consider information about the case in order to provide advice and advocacy. We may need to assess documents and information in order to understand if they are relevant or not. We may need to meet with experts, witnesses and other professional advisers in order to understand the impact they may have on the case.</i></p>	<p>(a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;</p> <p>(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;</p> <p>(c) processing is necessary for compliance with a legal obligation to which the controller is subject;</p> <p>(d) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.</p>	<p>(a) the data subject has given explicit consent to the processing</p> <p>(e) processing relates to personal data which are manifestly made public by the data subject</p> <p>(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity</p> <p>(g) processing is necessary for reasons of substantial public interest</p>	<p>Consent</p> <p>Legal Claims</p> <p>Judicial Act</p> <p>Personal Data in the Public Domain</p> <p>Regulatory requirements relating to unlawful acts and dishonesty etc</p>

<p>Billing</p> <p><i>In order to charge for our services we need to process information about the case so that we can raise fee notes and send them to the relevant people. If you delay in paying us we may need to take legal action.</i></p>	<p>(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;</p> <p>(c) processing is necessary for compliance with a legal obligation to which the controller is subject;</p> <p>(d) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.</p>	<p>(e) processing relates to personal data which are manifestly made public by the data subject</p> <p>(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity</p>	<p>Consent</p> <p>Legal Claims</p> <p>Judicial Act</p> <p>Personal Data in the Public Domain</p> <p>Regulatory requirements relating to unlawful acts and dishonesty etc</p>
<p>Internal Administration</p> <p><i>In order to manage our practices we need to understand the type of work we have done in the past, and predict the work likely to be available to us in the future. We also need to keep records of payments made and expenses incurred. We also need to consider the distribution of work across members. We also need to ensure the security of our premises, property and information systems and this may include monitoring communications, CCTV and access logs. We may also contact you to provide updates about our terms, contact details or working practices, this is to ensure that you understand how we work.</i></p>	<p>(c) processing is necessary for compliance with a legal obligation to which the controller is subject;</p> <p>(d) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.</p>	<p>(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity</p> <p>(g) processing is necessary for reasons of substantial public interest</p>	<p>Legal Claims</p> <p>Judicial Act</p> <p>Personal Data in the Public Domain</p> <p>Regulatory requirements relating to unlawful acts and dishonesty etc</p>
<p>Complaints Handling and Defending Ourselves Against Legal Claims</p>	<p>(c) processing is necessary for compliance with a legal obligation to</p>	<p>(f) processing is necessary for the establishment, exercise or defence of</p>	<p>Consent</p> <p>Legal Claims</p>

<i>We need to keep records in order to protect ourselves against allegations that we have acted improperly</i>	<p>which the controller is subject;</p> <p>(d) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.</p>	<p>legal claims or whenever courts are acting in their judicial capacity</p> <p>(g) processing is necessary for reasons of substantial public interest</p>	<p>Judicial Act</p> <p>Personal Data in the Public Domain</p> <p>Regulatory requirements relating to unlawful acts and dishonesty etc</p>
<p>Marketing and Business Development</p> <p><i>You can find out more in the marketing and business development section below.</i></p>	<p>(a) the data subject has given explicit consent to the processing</p> <p>(d) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party.</p>	<p>(a) the data subject has given explicit consent to the processing</p>	N/A

HOW WE SHARE PERSONAL DATA

Information provided by our clients will largely be protected by legal professional privilege and/or we will be obliged to keep it confidential.

However, we may share personal data with the following categories of third parties where it shall be protected by a like duty of confidence:

- third party processors such as Chambers' Officers, IT Suppliers, Storage Providers
- pupils (trainee barristers) and mini-pupils
- insurers, accountants, brokers or advisers, auditors, lawyers or risk managers instructed by us or on our behalf
- Regulators and Ombudsman
- current, past or prospective employers
- education and examining bodies

We may also, in accordance with our instructions, share personal data with the following categories of third parties:

- persons connected with our lay client or persons we are instructed to represent such as: experts, legal professionals, professional advisers witnesses (including potential witnesses), friends and family
- courts, tribunals, mediators, arbitrators
- other parties and their representatives

In accordance with our professional obligations as set out in the Bar Standards Board Handbook., we may also share personal data:

- where we are legally or professionally required do so (e.g. with intelligence agencies, law enforcement agencies, regulators, courts or tribunals)

- if it is necessary to do so to enforce our contractual rights

We may also share publicly available personal data (including information that has been disclosed in open court) for business development and marketing purposes.

TRANSFERRING INFORMATION OUTSIDE THE EEA

Unless we are communicating with a data subject based outside the EEA, we rarely transfer information outside the EEA.

However, where we transfer information outside the EEA and where there is no adequacy decision by the European Commission in respect of that country we will put in place appropriate measures to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the EU and UK laws on data protection. These include binding contractual arrangements and encryption. If you require further information you can request it from our Privacy Officer.

RETAINING PERSONAL DATA

We will retain personal data only for as long as is necessary. The retention period will vary depending on the type of data and the purpose for which it was collected and/or processed. Further details regarding our Data Retention Policy can be obtained from our Privacy Officer whose details are set out above

DATA PROCESSED OTHER THAN FOR MARKETING PURPOSES

Personal data will be retained in our main database for a year after full payment has been made on the case. It will thereafter be archived, and processing restricted to that which is necessary and permitted for legal, regulatory, fraud and other legitimate business purposes, including conflict checking. When your data is no longer needed for these purposes it will be securely destroyed in accordance with our Data Retention Policy.

DATA PROCESSED FOR MARKETING PURPOSES

Data processed for marketing purposes will not be kept for longer than is necessary. In deciding how long we need to retain your data we will take into account the nature of our contact with you, the length of our relationship with you and your role and organisation. You can always opt-out of marketing communications by contacting us.

MARKETING AND BUSINESS DEVELOPMENT

We may use contact details provided to us in the course of providing legal services to contact you directly. We may:

- send you articles, newsletters, notifications, announcements, and other communications concerning our members or legal developments which we believe may be of interest to you.
- invite you to seminars, events, or other functions we believe may be of interest to you.

- for business development and market research purposes find out if there are additional services we could provide and/or to measure or understand the effectiveness of any marketing we provide to you and others.

You can always opt-out of receiving direct marketing-related email communications or text messages by following the unsubscribe link.

YOUR RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You should be aware these rights are subject to the conditions and restrictions set out in the General Data Protection Regulation and the Data Protection Act 2018.

You will not have to pay a fee to access your personal data (or to exercise any of your other rights). But, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

If you wish to exercise any of the rights set out in this privacy notice, please contact our Privacy Officer

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within 28 days. Occasionally it may take us longer if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated

Further information regarding rights under the General Data Protection Regulation and the Data Protection Act 2018 can be found by visiting <https://www.ico.org.uk>.

THE RIGHT OF ACCESS TO YOUR PERSONAL DATA

You have the right to receive confirmation as to whether or not personal data about you are being processed, and, where that is the case, access to that personal data and certain information, including:

- the purposes of the processing
- the categories of personal data concerned
- the recipients or categories of recipients to whom the personal data have been, or will be disclosed, in particular recipients in third countries or international organisations
- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period

- where the personal data were not collected from you any available information as to their source

the existence of automated decision-making, including profiling; and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject

Please note that this right is subject to certain exemptions and it may not be available in all cases.

THE RIGHT TO RECTIFY YOUR PERSONAL DATA

You have the right to rectification of inaccurate personal data concerning you without undue delay. This includes the right to have incomplete personal data completed.

THE RIGHT TO ERASURE OF YOUR PERSONAL DATA

You may have the right to require us to erase your personal data without undue delay if:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed
- you withdraw your consent (if given) and there is no other legal ground for the processing
- you object to further processing and there are no overriding legitimate grounds for the processing
- the personal data have been unlawfully processed
- the personal data have to be erased for compliance with a legal obligation to which we are subject

THE RIGHT TO OBJECT TO PROCESSING OF YOUR PERSONAL DATA

You have the right to object to the processing of your data and if you do, we may be prevented from further processing your personal data unless certain conditions are met.

THE RIGHT TO RESTRICT PROCESSING OF YOUR PERSONAL DATA

In certain circumstances you may have the right to restrict further processing of your personal data and if you do, we may only further process your personal data for storage, with your consent, for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

THE RIGHT TO DATA PORTABILITY

Where you have provided information to us and where that information is processed by automated means pursuant to a contract, you may have the right to have that information provided to you in a machine-readable format. This so you are able to re-use your personal data across different services.