



PRIVACY AND COOKIES POLICY

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 data and how to contact Chambers in the event you need further information.

Introduction

Equity Chambers 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 General Data Protection Regulations (GDPR) and the Data Protection Act 2018.

Equity Chambers is registered with the Information Commissioner's Office (ICO) as a Data Controller for the personal data that we hold and process. Members of Chambers are also individually registered with the ICO.

Chambers has appointed Ms Claire Barnes as its Data Protection Officer (DPO).

Our postal address is **Equity Chambers, First Floor McLaren Building, 46 Priory Queensway, Birmingham B4 7LR.**

Our email address is **clerks@equitychambers.org.uk.**

If you have any issues with any aspect of how we have used or collected your data, you have the right to complain to the ICO, the UK supervisory authority for data protection issues (www.ico.org.uk). In the first instance,

we would ask that you contact us first so that we may try to resolve any issues for you.

Changes to your personal information

It is important that we hold accurate and current data about you. If your circumstances or information change, please inform us as soon as practicable so that we can update our records.

What does Chambers do with your information?

Collecting your personal data

The majority of the information we hold about you is provided to us by you when you seek to use our services. If you instruct us to act on your behalf, your information is needed to enable us to provide you with advice and representation and to enable us to comply with our professional obligations, and to keep accounting records.

We collect some or all of the following personal information that you provide:

- personal details
- family details
- lifestyle and social circumstances.
- financial details
- education, training and employment details
- 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 data

- biometric data for the purpose of uniquely identifying a natural person
- criminal proceedings, outcomes and sentences, or related security measures
- other personal data relevant to instructions to provide legal services, including data 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 other legal professionals or 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 does Chambers use your personal information?

Processing your personal data

We only use your personal data when legally permitted. We may use your personal information for the following purposes:

- To provide legal services; including the provision of legal advice and representation in courts, tribunals, arbitrations and mediations;
- To keep accounting records and carry out office administration;
- To take or defend legal or regulatory proceedings or to exercise a lien;
- To respond to potential complaints or make complaints;
- To check for potential conflicts of interest in relation to future potential cases;
- To promote and market our services, but where this is done you will be anonymised where appropriate;
- To carry out anti-money laundering and terrorist financing checks;
- To train other barristers and when providing work-shadowing opportunities;
- To respond to requests for references;

- To publish legal judgments and decisions of courts and tribunals;
- As required or permitted by law.

When using our website or any of our digital platforms, we may also automatically collect the following information about your visit:

- How you reached our digital platform and the IP (internet protocol) address you used;
- Your browser type and operating system;
- Any links you may click on or any searches you made to enter our site;
- Information provided to us from forms which you complete.

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 and its members 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.

The legal basis for processing your personal data

Chambers relies on the following as the lawful bases on which 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 which is in 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 those stated categories, Chambers relies on its legitimate interest and/or the legitimate interests of a third party in carrying out the processing for the Purposes set out above.
- In relation to information in 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 some of the purposes stated 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 some categories 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, 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
- 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.

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 which has been 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.

Transfer of your information outside the European Economic Area (EEA)

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 data 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 data 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.

Chambers may transfer your personal information to the following which are located outside the European Economic Area (EEA):

- cloud data storage services based in the USA who have agreed to comply with the EU-U.S. Privacy Shield, in order to enable Chambers to store your data and/or backup copies of your data so that Chambers may access your data when they need to. The USA does not

have the same data protection laws as the EU but the EU-U.S. Privacy Shield has been recognised by the European Commission as providing adequate protection. To obtain further details of that protection see https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield_en

- cloud data storage services based in Switzerland, in order to enable Chambers to store your data and/or backup copies of your data so that Chambers may access your data when it needs to. Switzerland does not have the same data protection laws as the EU but has been recognised by the European Commission as providing adequate protection; see https://ec.europa.eu/info/law/law-topic/information-protection/information-transfers-outside-eu/adequacy-protection-personal-personal-information-non-eu-countries_en.]

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 EEA [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 2 years 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 data 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 (without further notice to you) as soon as reasonably practicable after the data 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 indefinitely or 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 2 years.

Consent

As explained above, Chambers is relying on your explicit consent to process your information. You provided this consent when you applied to become a member of staff, tenant, pupil or mini-pupil/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, 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.

Security of your personal information

Chambers will take all reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information. Any personal data is kept stored electronically on a password protected and encrypted server.

Your Legal 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.

Any response to requests to access copies of personal data may take up to one month. If there is a delay in dealing with your request, we will notify you and keep you updated.

As stated, there will be no fee to access your personal data or to exercise any of the rights above. However, where the request is clearly unfounded, repetitive or excessive, we may charge a reasonable fee.

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 data protection laws occurred. The Information Commissioner's Office can be contacted at <http://ico.org.uk/concerns/>. In the first instance, we would ask that you contact us first so that we may try to resolve any issues for you.

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 Chambers website at www.equitychambers.org.uk.

Changes to this Privacy Notice

Chambers continually reviews its privacy practices and may change this policy from time to time. When it does an amended privacy notice will be placed on Chambers website at www.equitychambers.org.uk

Third-Party links to or from another website

If you click on a link to go to another website, please be aware that we do not control any third-party websites and are not responsible for their privacy policy. When leaving our site, we encourage you to read the privacy policy of the third-party so that you understand what it does with your information.

If you come to our website by clicking on a third-party link, we may receive information from that third-party. Please note that we do not use any data from any third-party sites.

Cookies

As with many other website operators, we use ‘cookies’ to distinguish you from other users of our website. Cookies are small pieces of information that are stored by the browser on a computer’s hard drive and they are used to record how you navigate websites on each visit. Cookies do not give us access to your computer or any information about you, other than the data you choose to share with us. You can choose to accept or decline cookies. You can find out more about cookies and how to control them from your browser by visiting <http://www.aboutcookies.org/>

Contact Details

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 Claire Barnes, Data Protection Officer (DPO) at Chambers address or by email (clerks@equitychambers.org.uk) or by phone on 0121-236-5007.