



## **PRIVACY NOTICE FOR SELBORNE CHAMBERS LIMITED**

### **ABOUT THIS NOTICE**

This Notice is provided to you on behalf of Selborne Chambers Limited (“the Company”) which carries out various functions in relation to the barristers (including pupil barristers) practising as explained below.

The Notice explains how the Company process personal data – that is to say, the various ways in which they obtain, hold, use and disclose personal data.

This Notice also explains what your rights are in relation to any personal data about you that is processed by the Company.

### **RELEVANT LAW**

The way in which the Company process personal data is governed by data protection law, which includes the General Data Protection Regulation 2016 (“GDPR”) and the Data Protection Act 2018 (“DPA 2018”).

### **EXPLANATION OF TERMS USED IN THIS NOTICE**

The following terms are defined by GDPR and DPA 2018. A short explanation is given below (though it is not intended to substitute for the definitions set out in the legislation).

By personal data, we mean information relating to an identified or identifiable person.

By special category personal data we mean:

- Personal data that reveals any of the following about an individual: racial or ethnic origin; political opinions; religious or philosophical beliefs; or trade union memberships.
- Personal data that consists of genetic data; biometric data used for the purpose of identifying an individual; data concerning health; or data concerning an individual’s sex life or sexual orientation.

By criminal offence data we mean data about whether an individual has committed or has been convicted of a criminal offence.

By a data controller we mean the person or body which determines the purpose and means of the processing of personal data.

The following terms are also used in this Notice.

Professional clients are solicitors or other professionals who instruct Barristers on behalf of another person.

Lay clients are individuals on whose behalf a Barrister is instructed by a solicitor or other professional. As used in this Notice, the term also includes individuals who instruct a Barrister on a direct access basis (i.e without using a solicitor or another professional to instruct the Barrister on their behalf).

#### PROCESSING OF PERSONAL DATA BY THE COMPANY

Processing of personal data to assist Barristers in conducting their practices.

The Company employs staff members (including barristers' clerks) to assist Barristers in conducting their practices, and to deal with the administration of Selborne Chambers.

The Company is the data controller for electronic personal data held by staff members (e.g. in the staff member's email accounts and on their work devices) for the purpose of helping Barristers run their practices.

The Company is also the data controller in respect of any electronic personal; data processed in connection with any unallocated case (i.e. a case that has been sent to Selborne Chamber but has not been allocated to a particular Barrister).

The Company is the data controller in respect of any hard copy files which fall within the scope of the GDPR and which relate to a case which is unallocated.

The legal basis upon which the Company processes personal data for the above purposes is as follows. Where a professional or lay client has given consent to the processing of their personal data by the Company, then the processing of that personal data by the Company is based on consent.

Where consent has not been given for such processing, any such processing is based on the Company's legitimate interests in assisting Barristers in conducting their professional practice and providing legal services.

Where the Company processes special category personal data or criminal conviction data, this is on the basis that the processing that is necessary for the establishment, exercise or defence of legal claims. This would cover circumstances where the personal data was processed in connection with litigation, or for the purpose of providing legal advice.

#### PROCESSING OF PERSONAL DATA FOR THE ADMINISTRATION OF SELBORNE CHAMBERS

The Company is the data controller for data that is processed for the purposes of administering Selborne Chambers. This includes data that is processed for billing purposes and for marketing purposes. In relation to marketing data, Selborne Chambers will not send marketing emails except where permitted under the Privacy and Electronic Communications Regulations 2003 or any successor legislation.

The Company is the data controller in respect of all data relating: to staff employed by the Company, contract workers who provide services to Selborne Chambers (e.g. cleaners and plumbers), and mini-pupils and pupils at Selborne Chambers.

The basis on which the Company processes such personal data is as follows.

The processing of staff data and data relating to contract workers is necessary for the performance of employment or other contracts to which the Company and the relevant data subjects are parties. The processing of special category personal data in connection with employment is conducted on the basis that the processing is for employment purposes, or for occupational health purposes.

Data relating to mini-pupils and pupils is processed on the basis of the legitimate interests of Selborne Chambers, Barristers and the Company, in the recruitment and training of new barristers and of potential new members of Selborne Chambers. Marketing data is processed on the basis of the legitimate interests of Selborne Chambers, Barristers and the Company in marketing the services of Barristers practising at Selborne Chambers. The processing of personal data for direct marketing by email is carried out on the basis of consent.

#### YOUR RIGHTS

Under the GDPR and DPA 2018, you have various rights in connection with any personal data about you that is processed by the Company as data controller.

- You can ask the Company to give you access to personal data about yourself that is held by them.
- You can ask the Company to erase personal data about you that it held by them.

- You can ask the Company to restrict their processing of personal data about you, so that the data will only be used for limited purposes (which are set out in the GDPR).
- You can object to the processing of your personal data by the Company.
- You can ask for personal data about yourself that you have provided to the Company to be provided to you in a structured, commonly used and machine-readable format, and you can transmit that data to another data controller.

All of these rights are set out in detail in the GDPR and DPA 2018, which explain the conditions for the exercise of these rights, and any limitations. Various exemptions may apply, including in relation to data that is protected by legal professional privilege.

If you wish to exercise any of these rights, please may it clear whether you are seeking to exercise your rights against, one or more Barristers (and if so, please identify them) and/or against the Company.

#### CONSEQUENCES OF FAILING TO PROVIDE DATA

If you are a client of one or more Barristers and you do not provide information to them, or if you withdraw consent for the processing of personal data by them or the Company, or require them or the Company to cease processing your data or to erase your data, then the effect may be that: the Barrister(s) in question are unable to provide legal services to you; or the Barristers in question are unable to provide all of the legal services that you have asked for.

#### RIGHT TO LODGE A COMPLAINT

You have the right to lodge a complaint to the Information Commissioner about the processing of your data by a Barrister or the Company.

Her contact details are:

Information Commissioner's Office Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113

Her website is at: <https://ico.org.uk>

CONTACT DETAILS

The Company can be contacted at:

Selborne Chambers

10 Essex Street

London

WC2R 3AA

Review Date	Reviewed
12 June 2019	IJC