



NINESTJOHNSTREET

**Michael O'Neill**

## **PRIVACY POLICY**

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### **1. INTRODUCTION**

Personal data is any information relating to an identifiable individual. I am committed to safeguarding the privacy of the personal data that I process.

This policy explains how I collect, use and store personal data and how I intend to keep it secure.

I may change this policy from time to time by updating this notice on my website profile. You should continue to check its contents to ensure that you are content with any changes made.

### **2. MY DETAILS**

As a barrister, I provide legal services. This includes advocacy, legal advice and legal training.

In order to provide legal services I need to collect, process and hold personal data. This will include my clients' personal data and data relating to others.

I am registered with the Information Commissioner's Office ('ICO') for the information that I hold. My ICO registration number is: Z131160X

My registered address is: 9 St John Street, Manchester, M3 4DN. This is my place of work and it is referred to as 'Chambers' within this Policy.

If you require any further information in relation to this Notice, please contact Rachel Swift by emailing her at [rachel.swift@9sjs.com](mailto:rachel.swift@9sjs.com) or by writing to her at, Chambers of Christopher Kennedy QC, 9 St John Street, Manchester, M3 4DN.

### **3. DATA COLLECTION**

The majority of the information that I hold about you is provided by yourself, or someone acting on your behalf, when you seek to use my services. I may also obtain information from publicly available sources and from others involved in litigation.

I may also collect personal data:

- Via Social media or other digital platforms such as Chambers' Website
- Directly from a third party such as the Crown Prosecution Service
- Directly from a third party with your consent such as medical records or insurance companies
- Via Chambers' GDPR Compliant Case Management System and general IT system

#### 4. MY LAWFUL BASIS FOR PROCESSING YOUR INFORMATION

The General Data Protection Regulation ('GDPR') requires all data controllers that process personal data to have a lawful basis for doing so. The lawful basis for processing contained within Article 6 of the GDPR are:

- **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
- **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- **Legal obligation:** the processing is necessary to comply with the law (not including contractual obligations).
- **Vital interests:** the processing is necessary to protect someone's life.
- **Public task:** the processing is necessary to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

Examples of legitimate interests include:

- Where the data subject is a client or in the service of the controller;
- Transmission within a group of undertakings for internal administrative purposes;
- Processing necessary to ensure network and information security, including preventing unauthorised access;
- Processing for direct marketing purposes, or to prevent fraud; and
- Reporting possible criminal acts or threats to public security.

The lawful basis that I rely on to process data are: consent, contract, legal obligation and legitimate interests.

Personal data will be held at my Chambers, or by Chambers' service providers. All information is stored within the European Economic Area. If there is a requirement to transfer data to a non-EEA Country I will ensure that transfer complies with data protection law.

#### 5. THE PERSONAL DATA I COLLECT

All personal information I collect about you will be recorded, used and protected by me in accordance with the data protection legislation and this privacy policy.

#### Examples of data collected

- Name, address, telephone or mobile numbers, email address
- Date of Birth
- Information to allow us to verify your identity
- Financial details including bank account details and National Insurance number
- Details of social media presence
- Details of family members
- Employment status details
- Nationality, Immigration status, Ethnic Origin, Sexual orientation etc.
- Trade Union Membership details
- Medical records

## **6. HOW I MIGHT SHARE OR TRANSFER YOUR DATA**

I may share your personal data with:

- Instructing solicitors;
- Other barristers, legal representatives or experts with whom I am working;
- Legal representatives for other parties to disputes in which I am instructed;
- Staff at my Chambers;
- Trainee barristers or those undertaking work experience;
- My bank, insurers or accountant;
- Legal directories;
- Regulatory bodies and /or my legal advisors in the event of a dispute or other legal matter;
- Third party contractors and suppliers, necessary to administer my practice;
- Law enforcement officials, government authorities, or other third parties to meet my legal obligations;
- Any other party where I ask you and you consent to the sharing.

If I intend to rely on a third party to process any personal data, I will ensure that they too have taken appropriate measures of data protection compliance in order to protect data.

Wherever possible, I will not share your information without your specific consent to do so. I do not use automated decision-making in the processing of personal data.

## **7. DATA RETENTION**

I will retain your personal data only for as long as is reasonably necessary for the required services to be provided to you. When my service to you is complete I will retain your personal data for no longer than seven years unless there is a specific legal obligation to retain it for longer. This will enable me to keep records required by law, to show that I treated you professionally and fairly and to enable me to respond to questions, claims or complaints which may be raised.

## **8. OTHER MATTERS**

Chambers website uses cookies.

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

## **9. YOUR RIGHTS AS A DATA SUBJECT**

The GDPR gives you specific rights concerning your personal data. These rights include:

- Right of information and access to confirm details about the personal data that is being processed about you and to obtain a copy;
- Right to rectification of any inaccurate personal data;
- Right to erasure of personal data held about you (in certain circumstances);
- Right to restriction on the use of personal data held about you (in certain circumstances);
- Right to portability – right to receive data processed by automated means and have it transferred to another data controller;
- Right to object to the processing of your personal data.

I will respond to any request to exercise these rights within one month. Should you wish to exercise any of these rights you should contact Rachel Sw in the first instance.

Information about your rights can be found on the ICO website at [www.ico.org.uk](http://www.ico.org.uk)

## **10. SECURITY OF INFORMATION**

I have measures in place designed to protect your data. All data in my possession is dealt with in accordance with this Policy and the additional Policies that Chambers has in relation to GDPR.

I would like you to know that myself and my Chambers takes the security of your personal information seriously. When you submit your data to Chambers, they use industry standard Secure Sockets Layer (SSL) encryption technology to guard your information.

Chambers has Policies in place to ensure that paper-based and electronic systems are only accessed by those with the correct authority.

Members of Staff and Chambers access our digital network and platforms by way of secure password through a GDPR compliant case management system.

Chambers also has compliant procedures in place to deal with any Data Protection breaches. Should there be a breach, myself or Chambers will notify you where we are legally required to do so.

## **11. COMPLAINTS**

If you have a complaint and I am unable to deal with it satisfactorily, you may write to the Information Commissioner's Office at the following address:

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

1 February 2019