



# NINESTJOHNSTREET

## Privacy Policy

9 St. John Street Chambers is committed to safeguarding the privacy of any personal data that we have in, or comes into, our possession. Those who are members of Chambers will act at all times in accordance with their obligations as set out in the Bar Council handbook and in particular, their duty of confidentiality.

Personal data is any information relating to an identifiable individual and includes data received from, and in respect of, both professional and lay clients who instruct us and visitors to our website.

Special category Personal Data is data that is about an individual's:

- Race;
- Ethnic Origin;
- Political opinions or affiliations;
- Religious, Philosophical, or other Beliefs;
- Trade Union membership;
- Genetic and/or biometric data (where used for identification purposes);
- Health;
- Sex-life; or
- Sexual orientation

This policy explains how we and the members of Chambers may collect and use personal data and how we intend to keep it secure. Should we ask for, or should instructions to our members contain, certain information by which you can be identified, either in the course of the services we or they provide or when using this website, then you can be assured that it will only be used in accordance with this privacy policy.

We may change this policy from time to time by updating this notice on our website. You should continue to check its contents to ensure that you are content with any changes made. Should you (i) have any questions about this policy, (ii) want to exercise your right to find out what information we

hold about you, (iii) want to ask us to delete information we hold about you, or (iv) think that information we hold may be incorrect, you may contact our Chambers Manager – Ruth Bailey by emailing her at [ruth.bailey@9sjs.com](mailto:ruth.bailey@9sjs.com) or by writing to her at, Chambers of Charles Garside QC, 9 St. John Street, Manchester, M3 4DN.

## **How and why do we collect your data?**

When Members of Chambers are instructed to act in a case where the data subject is our client, then we collect and process personal data on the lawful basis that the processing is necessary in relation to a contract which the data subject has entered into with us either directly, or through a solicitor or other intermediary. When we are instructed to act in a case where the data subject is not our client, then we collect and process the personal data on the lawful basis that the processing is necessary for administering justice or for exercising a statutory or other public function.

We and the members of Chambers individually are entitled by law to process personal data where that processing is necessary for legal proceedings, legal advice, or for establishing, exercising, or defending legal rights.

We may only use your data if there is a lawful reason to do so. In addition to the performance of our service and the service of members of Chambers to you, we may also collect and use personal data to comply with our legal and regulatory obligations, for our legitimate interests or those of a third party or, where you have given consent.

In certain circumstances it may be necessary to process personal data so that we can comply with legal obligations to which we are subject, including checks required under the Money Laundering, Anti-Terrorist Financing, and Transfer of Funds Regulations (or such Regulations as may replace, or add to, the obligations under those Regulations).

Most of the personal data provided to us comes from a Solicitor or Lay Clients. However, we may also collect personal data from:

- Directly from a third party such as the Crown Prosecution Service
- Directly from a third party, with your consent, such as an employer, medical professional, or insurance company
- Via Social media or other digital platforms such as our Website
- Via our GDPR Compliant Case Management System and general IT system

Personal data will be held at our Chambers at 9 St John Street, by individual barristers or by our service providers. All information is stored within the European Economic Area. If there is a requirement to transfer data to a non-EEA Country we will ensure that transfer complies with data protection law.

### **What personal data do we collect?**

**All personal information we collect about you will be recorded, used, and protected by us in accordance with the current data protection legislation, this privacy policy and the professional obligations of members of Chambers. We will not use any personal data or information for purposes which are not clear when that personal data or information is supplied to us. The personal data we acquire primarily consists of the following:**

- Name, address, telephone and/or mobile telephone numbers, and email address or addresses
- Date of Birth
- Information to allow us to verify your identity, such as passport or driving licence details
- Financial details, including bank account details and your National Insurance number
- Details of social media presence
- Details of family members
- Your Employment status and details, including but not limited to your salary, benefits, and work records;
- Your Nationality, and Immigration status
- Your Ethnic Origin, Sexual orientation, gender, religious or other beliefs
- Details about your lifestyle and social circumstances
- Political Opinions
- Your Trade Union Membership details
- Your Medical records including physical or mental health details and genetic data and biometric data
- Details of criminal proceedings, outcomes, sentences and other related matters
- Other personal data relevant to instructions to provide legal services, including data specific to the instructions in question.

This personal data may be required to enable us to provide our service to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

### Data collected via our Website

9 St John Street Chambers and its staff monitor visits to our website. Our site is owned by 9 St John Street Chambers which is, for the purposes of the relevant legislation, which includes the General Data Protection Regulations, is a Data Controller.

We will only contact you with news, offers and opportunities from us, if you provide your consent.

We do not seek to identify individual visitors unless they volunteer their contact details through one of the forms on the site. In some circumstances, our records will identify organisations visiting our site and we may use that information in managing our relationships with those organisations – for example, in considering how to develop the services that we offer professional clients. Various forms on our site invite you to submit your contact details and other information about yourself or your organisation, or to send us emails which will, of course, also identify you. In each case, the purpose for which you are invited to give us information is clear and we also indicate which of the requested information is essential for the relevant purpose and which is optional – fields for essential information are marked with an asterisk.

If we propose to use your details to send you information from 9 St John Street Chambers about barrister bookings, events or legal developments, which we believe may be of interest to you (other than information that you have specifically requested), we give you the ongoing opportunity to tell us that you do not consent to receiving this information, by ticking a box. We will always treat your personal data with the utmost respect and never share it with other organisations for marketing purposes.

We will not use your information for purposes that are not clear when you provide your details and will not disclose them outside 9 St John Street Chambers and its members except in very limited circumstances:

We may share your data with third parties (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 the applicable law.

### How we use 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. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences. We may use traffic log cookies to identify which pages are being used. This helps analyse data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system.

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives 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. 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.

### Links to other websites

Our website may contain links to other 3<sup>rd</sup> party websites of interest. It is important to note that once these links have been used, you have left our site and we have no control over the site to which you have been directed. We cannot be responsible therefore for the protection and privacy of any information provided to such sites and they are not governed by our privacy policy.

## **How and why we will use your personal data**

We can only use your personal data if we have a proper reason for doing so.

We may use personal data to:

- Provide legal services
- Conduct checks to identify our clients and verify their identity
- Comply with professional, legal and regulatory obligations that apply to our business, e.g. rules issued by our professional regulator
- Gather and provide information required by or relating to audits, enquiries or investigations by regulatory bodies

- Ensure business policies are adhered to, e.g. policies covering security and internet use
- Recruit pupil Barristers and staff members
- Deal with applications for tenancy submitted by Barristers who practice at other Chambers/Organisations or Solicitors seeking to cross-qualify
- Improve efficiency, train staff members, and assess staff members (particularly in the context of appraisals)
- Provide experience and training to pupil barristers and mini pupils and occasionally work experience students
- Ensure the confidentiality of commercially sensitive information
- Conduct statistical analysis to help us manage our practice, e.g. in relation to our financial performance, client base, work type or other efficiency measures
- Monitoring data for the purposes of ensuring adherence to the Equality Act 2010 (or any legislation which replaces or adds to, the duties under that Act), and for monitoring equality and diversity
- Prevent unauthorised access and modifications to systems
- Update client records
- Complete statutory returns
- Ensure safe working practices, staff administration and assessments
- Undergo external audits and quality

We will process data in those ways for the following reasons:

- To comply with our legal and regulatory obligations
- For the performance of our service for you or to take steps at your request before providing our service
- For our legitimate interests or those of a third party
- Where you have given consent

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

We will only process special category personal data with your explicit consent or where such processing is:

- Necessary for the establishment, exercise, or defence of legal claims;
- Required by law.

## How and why might we share or transfer your data?

In the course of providing our services, we will share data with Barristers of these Chambers and may have to share your information with other organisations such as:

- The Courts and Tribunals
- Prosecution authorities
- The Police and/or other Governmental bodies (only where required or permitted by law, or with your express consent)
- Other regulatory authorities
- Legal professionals
- Experts and other witnesses
- Pupil Barristers
- Chambers' staff
- Lay and professional clients of Members of Chambers
- Family and associates of the person whose personal information Chambers is processing
- Education and examining bodies
- Professional advisers and trade bodies, e.g. the Bar Council
- 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.

We may transfer your data if a Barrister of these Chambers, changes his practising address or if we change our providers of services such as Information Technology.

If we intend to rely on a third party to process any personal data, we ensure that they too have taken appropriate measures of data protection compliance in order to protect data. We also impose contractual obligations on service providers to ensure they can only use your personal data to provide services to us and to you.

Chambers may be required to provide your information to Regulatory bodies, such as the Bar Standards Board, the Law Society/Solicitors Regulation Authority, 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, which may include privileged information, may lawfully be disclosed by it for the purpose of any other civil or criminal proceedings, without our consent or your consent.

Wherever possible, and save were required or permitted by law, we will not share your information without your specific consent to do so.

## **How long will we keep your data?**

We will retain your personal data only for as long as is reasonably necessary for the required services to be provided to you. When our service to you is complete we will retain your personal data for no longer than 7 years unless there is a specific legal obligation or specific reason to retain it for longer. This will enable us to keep records required by law, to show that we treated you professionally and fairly and to enable us to respond to questions, claims or complaints which may be raised.

## **What are your rights as a Data Subject?**

You have a number of rights with regard to the data we hold about you. 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, although if you exercise this right we may not be able to carry out the instructions we have been given

We will respond to any request to exercise these rights within one month. Should you wish to exercise any of these rights you should contact Ruth Bailey.

## **Security of Information**

9 St John Street Chambers takes the security of your personal information seriously. When you submit your data to us, we use industry standard Secure Sockets Layer (SSL) encryption technology to guard your information.

We have Policies in place to ensure that our 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 my way of secure password through a GDPR compliant case management system.

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

### **How to make a Complaint**

**In the first instance we would ask that you contact our Data Protection Manager, who we hope will be able to resolve any concerns you have in a satisfactory and expeditious manner.**

If you have a complaint and our Data Protection Manager is 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

Or contact them either at <https://ico.org.uk/concerns> or on telephone number 0303 123 1113.