

## **TANFIELD CHAMBERS LAY CLIENT FAIR PROCESSING NOTICE (PRIVACY POLICY)**

In this Notice, “We” and “Us” mean both the barrister (or barristers) instructed in your matter and Tanfield Chambers Services Limited, which is a company that provides administrative support to barristers who are members of Tanfield Chambers. “You” means the client on whose behalf the barrister is instructed and “your matter” should read accordingly.

We are committed to maintaining the accuracy, confidentiality and security of your personal information. Data protection law provides you with a right to be informed about the processing of your personal information. This Notice describes the personal information that we collect from or about you, and how we use and to whom we disclose that information. Where it is appropriate to the circumstances of the matter, the individual barrister(s) instructed in your matter may also prescribe additional purposes and longer retention periods to those set out below.

### **What Personal Information Do We Collect?**

For the purposes of our Privacy Policy, personal information is any information about an identifiable individual. Personal information does not include anonymous or non-personal information.

We collect and maintain different types of personal information in respect of those individuals who seek to be, are or were clients of members of Chambers, including the personal information contained in:

- what you tell us about yourself;
- official ID documents such as a passport, driving licence and utility bill;
- other documents which you (or your solicitors or other intermediaries) provide to us;
- notes taken by Counsel at conferences, at Court and in the preparation of legal advice, opinions and other papers;
- our records of invoicing and payment.

The personal information which we collect and maintain includes information such as name, home address, telephone number, email address, date of birth and any other information necessary to permit us to manage your matter effectively. In addition, the barrister instructed in your matter may collect and maintain sensitive personal information about you if that has any relevance to the matter.

As a general rule, we collect personal information directly from you, your solicitors or other intermediaries instructed by you. In most circumstances, where the personal information that we collect about you is held by a third party, we will obtain your permission before we seek this information from such sources (such permission may be given directly by you, or implied from your actions).

Where permitted or required by applicable law or regulatory requirements, we may collect information about you without your knowledge or consent.

### **Why Do We Collect Personal Information?**

The personal information collected is used and disclosed for our business purposes, including establishing and managing your relationship with us. Such uses include:

- assessing whether a barrister is able to assist you;
- conflict of interest checks;

- ID and anti-money laundering checks;
- case management;
- provision of legal services to you by the barrister instructed in your matter;
- maintaining records of legal services provided;
- invoicing, fee collection and debt recovery;
- keeping records up to date;
- complying with the legal and regulatory obligations;
- implementing best practice and guidance from the Bar Standards Board, the Bar Council or other regulatory or governmental bodies;
- such other purposes as are reasonably required by us;
- delivering supervision, training and/or work experience to pupils or mini-pupils.

### **Who is responsible?**

The person responsible for the personal information about you which we collect (the “data controller”) is the barrister instructed in your matter. Tanfield Chambers Services Limited manages certain information on behalf of the barrister instructed.

### **Monitoring**

Some areas of the chambers premises are equipped with CCTV. Where in use, CCTV cameras are there for the protection of visitors and employees and members of the chambers, and to protect against theft, vandalism and damage to goods and property on the premises. Generally, recorded images are routinely destroyed and are not shared with third parties unless there is suspicion of a crime, in which case they may be turned over to the police or other appropriate government agency or authority.

This section is not meant to suggest that clients will be monitored or their actions subject to constant surveillance. It is meant to bring to your attention the fact that such monitoring may occur.

### **How Do We Use Your Personal Information?**

We may use your personal information for the purposes described in this Policy or for any additional purposes that we advise you of and, where your consent is required by law, where we have obtained your consent in respect of the use or disclosure of your personal information.

We may use your personal information without your knowledge or consent where we are permitted or required by law or regulatory requirements to do so.

### **When Do We Disclose Your Personal Information?**

We may share your personal information with our employees and other parties who require such information to assist us with managing the service we provide to you.

Also, your personal information may be disclosed:

- as permitted or required by applicable law or regulatory requirements;
- to comply with valid legal processes such as legal search warrants, Court summons or Court orders;
- as part of Chambers regular reporting activities;
- to protect the rights and property of Chambers;
- during emergency situations or where necessary to protect the safety of a person or group of persons;

- where the personal information is publicly available; or
- with your consent where such consent is required by law;
- to pupils or mini-pupils as part of their supervision, training and/or work experience.

In any such a case, we will not disclose more personal information than is required in the circumstances and, except under compulsion of law, we will not disclose without your consent any legal advice which is the subject of a duty of confidence owed to you.

## **Notification and Consent**

Privacy laws do not generally require us to obtain your consent for the collection, use or disclosure of personal information for the purpose of establishing and managing our relationship with you. In addition, we may collect, use or disclose your personal information without your knowledge or consent where we are permitted or required by applicable law or regulatory requirements to do so.

Where your consent is required, this will be requested and recorded in a clear unambiguous way. Where your consent is required for our collection, use or disclosure of your personal information, you may, at any time, subject to legal or contractual restrictions and to reasonable notice, withdraw your consent. All communications with respect to such withdrawal or variation of consent should be in writing and addressed to the barrister instructed in your matter.

## **How is Your Personal Information Protected?**

We endeavour to maintain physical, technical and procedural safeguards that are appropriate to the sensitivity of the personal information in question. These safeguards are designed to protect your personal information from loss and unauthorized access, copying, use, modification or disclosure.

Your personal information will not normally be processed outside the European Economic Area. Where it is necessary or desirable to do so, we will seek your prior consent and we will take steps to ensure that suitable safeguards apply.

## **How Long is Your Personal Information Retained?**

Except as otherwise permitted or required by applicable law or regulatory requirements, we will retain your personal information only for as long as we believe is necessary to fulfil the purposes for which the personal information was collected (including, for the purpose of meeting any legal, accounting or other reporting requirements or obligations). As a minimum, that will be until one year after the expiry of the legal limitation period for bringing a legal claim against the barrister in respect of the legal services provided. However, the barrister instructed in your matter may notify you that he or she will retain your personal information for a longer period for the purposes of maintaining his or her records of the legal services provided. Any mini-pupil will be required to delete or return any information disclosed at the end of their mini-pupillage. Save where they may have continuing involvement in a particular matter, Pupils are required to delete, return or anonymise all information received at the end of their pupillage.

In most cases, personal information which is maintained by Tanfield Chambers Services Limited will be deleted 7 years after the discharge of all fees incurred in your matter or the last item of work comprised in your instructions has been completed; whichever is the later.

## **Updating Your Personal Information**

It is important that the information contained in our records is both accurate and current. If your personal information happens to change during the course of your relationship with us, please keep us informed of such changes.

You have a right to have your personal information corrected if it is inaccurate and to have incomplete personal information completed. In some circumstances we may decide to update our record of your personal information by appending additional text without deleting the original record.

## **Right of Access to Your Personal Information**

You can ask to see the personal information that we hold about you. If you want to review, verify or correct your personal information, please contact the Chief Executive. Please note that any such communication may be required in writing.

When requesting access to your personal information, please note that we may request specific information from you to enable us to confirm your identity and right to access as well as to search for and provide you with the personal information that we hold about you. We may charge you a fee to access your personal information; however, we will advise you of any fee in advance. If you require assistance in preparing your request, please contact the Chief Executive.

Your right to access the personal information that we hold about you is not absolute. There are instances where applicable law or regulatory requirements allow or require us to refuse to provide some or all of the personal information that we hold about you. In addition, the personal information may have been destroyed, erased or made anonymous in accordance with our record retention obligations and practices.

If we cannot provide you with access to your personal information, we will try to inform you of the reasons why, subject to any legal or regulatory restrictions.

## **Your other legal rights**

Data protection legislation also provides you with certain other rights. These are not always absolute rights and must be considered in the wider scope of the legislation. These rights are:

- right to erasure, also known as the right to be forgotten. The broad principle underpinning this right is to enable an individual to request the deletion or removal of personal data where there is no compelling reason for its continued processing. In some circumstances this is not an absolute right;
- right to restrict processing. You have the right to 'block' or suppress processing of personal data. Again this is not an absolute right and will depend on the circumstances and any other legal/statutory obligations we may have;
- right to data portability;
- right to object to processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
- rights related to automated decision making including profiling.

Any questions you may have regarding the processing of your personal data should be directed to the Chief Executive by e-mail or by post at the Chambers address.