



RED LION CHAMBERS

18 RED LION COURT, LONDON

&

THORNWOOD HOUSE, CHELMSFORD

**CHAMBERS GENERAL
PRIVACY NOTICE FOR APPLICANTS**

This Privacy Notice does not apply to lay or professional clients.

It applies principally to those applying to Chambers for staff positions, pupillages, mini-pupillages, probationary tenancies or tenancies.

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



PRIVACY NOTICE FOR APPLICANTS

Who we are

Red Lion Chambers is a set of Chambers practicing in criminal and regulatory work and based in London and Chelmsford. Chambers collects, uses and is responsible for personal information about you. When Chambers does this, it is a 'controller' of this information for the purposes of the GDPR and the Data Protection Act 2018.

If you need to contact Chambers about your information or the processing carried out, you can use the contact details at the end of this document.

What does Chambers do with your information?

The information you provide is collected by Chambers and will include personal data. Personal data is defined as data which includes:

- a. personal details
- b. family details
- c. lifestyle and social circumstances
- d. goods and services
- e. financial details
- f. education, training and employment details
- g. physical or mental health details
- h. racial or ethnic origin
- i. political opinions
- j. religious, philosophical or other beliefs
- k. trade union membership
- l. sex life or sexual orientation
- m. genetic information
- n. biometric information for the purpose of uniquely identifying a natural person
- o. criminal proceedings, outcomes and sentences, or related security measures
- p. other personal information relevant to instructions to provide legal services, including information specific to the instructions in question.

Information collected from other sources

The same categories of information might also be obtained from third parties such as family, friends, members of Chambers or others (e.g. by way of references) or public records or the internet (e.g. Bar Directories, website entries or press reports).

How Chambers uses your personal information: Purposes

Chambers may use your personal information for the following purposes:

- i. to recruit staff and pupils;
- ii. to assess applications for tenancy, pupillage, mini-pupillage and work-shadowing opportunities;
- iii. to fulfil equality and diversity and other regulatory requirements;
- iv. to manage matters relating to employment, including payroll [and pensions];
- v. to respond to requests for references;
- vi. to respond to potential complaints or make complaints;
- vii. to carry out anti-money laundering and terrorist financing checks;
- viii. as otherwise required or permitted by law.



Whether information has to be provided by you, and why

If you apply to Chambers for a pupillage, a position or are seeking a reference or are a member of staff, your personal information has to be provided so that your application/reference can be properly assessed/ and/or your employment records, pay etc. can be properly administered and to enable Chambers to comply with its regulatory obligations and to keep accounting records.

The legal basis for processing your personal information

Chambers relies on the following as the lawful bases 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 in categories (g) to (o) above (these being categories which are considered to include particularly sensitive information and which include information about criminal convictions or proceedings), Chambers:
 - (i) 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;
 - (ii) relies on its legitimate interests and/or the legitimate interests of a third party in carrying out the processing for the Purposes set out above;
 - (iii) relies on your consent for any processing for the purposes set out in Purposes (i), (ii), (v) and (vii) 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 assessment of your working capacity or health or social care purposes.
- The processing of information in categories (g), (h), (j) and (l), is necessary for the purposes of identifying or keeping under review the 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. [see Chambers Written Statement of Policy on Equality and Diversity available on the Chambers website].
- 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;
- 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.

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 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 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;
- 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 information 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 information protection laws and procedures have been 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.

Cloud Storage of encrypted data

Chambers may transfer your personal information to providers which are located or controlled outside the European Economic Area (EEA). Chambers uses Microsoft Cloud for the storage of encrypted data, which is also used by some UK legal entities and Government Departments. Microsoft has agreed to comply with the EU-U.S. Privacy Shield, in order to enable Chambers to store your information and/or backup copies of your information so that Chambers may access your information when they need to. The USA does not have the same information 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 [\[https://ec.europa.eu/info/law/law-topic/information-protection/information-transfers-outside-eu/eu-us-privacy-shield_en\]](https://ec.europa.eu/info/law/law-topic/information-protection/information-transfers-outside-eu/eu-us-privacy-shield_en)

Chambers will not otherwise transfer personal information outside the EEA except as necessary for the conduct of any legal proceedings or at your specific written request.

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 for one year after the end of any limitation period such as the date of the last provision of goods or services, the date on which all outstanding payments are written off, or the date on which the application for tenancy or pupillage or staff position was determined.

Personal data of former permanent members of staff relating to their PAYE, tax related and other records shall be retained for 6 years after they cease employment with Chambers to enable Chambers to deal with tax issues or employment references.

At the end of any retention period, the information will be deleted as soon as reasonably practicable or will be further retained in the circumstances set out below.

Equality and diversity data may be retained indefinitely but only in pseudonymised form for the purpose of research and statistics and to comply with regulatory obligations in relation to the reporting of equality and diversity data.



Information is likely to be further retained only where it is needed for legal proceedings, regulatory matters or active complaints. If information is further retained, the further period of retention and the reasons for such retention shall be recorded.

Personal information held for recruitment purposes or in relation to pupillage or mini-pupillage will be stored for 1 year after the conclusion of the application process or the end of the mini-pupillage or pupillage to allow Chambers to deal with any queries or complaints and to use the data in an anonymised form to deal create diversity and equality statistics and comply with regulatory requirements.

Consent

As explained above, Chambers is relying on your explicit consent to process your information in categories (g) to (o) above. 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, where 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.

Your 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;
- [Request not to be the subject to automated decision-making which produces legal effects that concern you or affects you in a significant way].

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.

Chambers will respond to you within one month from when it receives your request.

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 information protection laws occurred. The Information Commissioner's Office can be contacted at <http://ico.org.uk/concerns/>.

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 the Chambers' website at <https://www.redlionchambers.co.uk/>.

Changes to this privacy notice

This privacy notice was published on 25 May 2018 and was last updated on 4 September 2020.

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 the Chambers' website at <https://www.redlionchambers.co.uk/>.

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 Mark Bennett, the Practice Director or email him at Mark.Bennett@18rlc.co.uk or contact him by telephone on **020 750 6000**.

Red Lion Chambers

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