

**PRIVACY POLICY OF:**

**Alexander West**

**Albion Chambers**

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**Bristol**

**BS1 1DR**

**ICO Registration: ZA028784**

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**Reviewed: 23 August 2023**

**Next review date: 23 August 2024**

## Privacy Policy

In order to provide legal advice, assistance and representation , I need to collect and hold personal information. This may be your personal data or information relating to other parties involved in the matter. I will take all possible steps to protect personal information. I will ensure that I do not do anything that may infringe your rights or undermine your trust. This privacy notice describes the information I collect about you, how it is used and shared, and your rights regarding it.

### Data controller

I, Alexander West, am a member of Albion Chambers. I am registered with the Information Commissioner's Office (ICO) as a Data Controller for the personal data that I hold and process as a barrister. My registered address is Albion Chambers, Broad Street, Bristol BS1 1DR and my ICO registration number is ZA028784. If you need to contact me about your data or this privacy notice, you can reach me at [alexander.west@albionchambers.co.uk](mailto:alexander.west@albionchambers.co.uk)

### Data collection

The vast majority of the information that I hold about you is provided to, or gathered by, me in the course of the investigation, case and/or proceedings (referred to below as the 'case'). This document explains how I will use your data, and your solicitor may also tell you why we need the information and how we will use it. In addition to the information you may provide to me or your solicitor, I may also obtain information from other sources as follows:

- Information that is available publicly in registers, searches or in the media
- Other legal professionals including solicitors and barristers and their associates, trainees and staff
- Chambers staff
- Witnesses and others providing information in course of investigations, reviews, inquiries or court proceedings
- Prosecution bodies

- Regulatory, public or administrative bodies
- Court staff & officials
- Clients
- References

## **What data do I process about you?**

Depending on the type of work, I collect and process both personal data and special categories of personal data as defined in the UK GDPR. This may include:

- Name
- Email address
- Phone number
- Address
- Payment or bank details
- Date of birth
- Next of kin details
- Details pertaining to education and employment
- Information on your opinions, background & current circumstances
- Financial information.

Where relevant, I may also need to process special category personal data that reveals your:

- Racial or ethnic origin
- Political opinions
- Religious and philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data for the purpose of uniquely identifying a natural person
- Data concerning health
- Sex life and sexual orientation.

On occasion, I may also process personal data relating to criminal convictions and offences.

## **My lawful basis for processing your information**

In order that I can provide legal services and representation for you, I must process your personal data. The UK General Data Protection Regulation (the UK GDPR) requires that where I process personal data, I must have a lawful basis for doing so. The lawful bases identified in the UK GDPR that I seek to rely upon are as follows:

- **Consent of the data subject** – where this required, I will ensure that I have your specific consent for processing your data for the specified purposes. You will also have the right to withdraw your consent at any time. Where you do so this will not affect the legality of data processing which had taken place prior to your withdrawal of consent.
- **Performance of a contract with the data subject, or to take steps to enter into a contract.**
- **Compliance with a legal obligation** – to comply with various regulatory and professional obligations, e.g. filing tax returns with HMRC.
- for the performance of a task carried out in the public interest or in the exercise of official authority
- **The legitimate interests of my business or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.**

Examples of legitimate interests include but are not limited to:

- Provision of legal services and advice.
- For purposes of practice management, accounting and debt recovery.
- For completion of professional regulatory requirements.
- Processing for direct marketing purposes, or to prevent fraud.
- Reporting threats to public security.
- Such other purposes as set out below.

### **Special category and criminal data processing**

The UK GDPR specifies that where I process special category data, I must rely upon certain exemptions in order to do so lawfully. The following exemptions are applicable in my practice

1. I have your explicit consent to do so;
2. It is necessary for the purpose of legal proceedings, obtaining legal advice or establishing, exercising or defending legal rights
3. It is necessary for judicial acts;
4. Where there is a substantial public interest and it is necessary for the purposes of preventing or detecting unlawful acts, or preventing fraud; protecting the public, for example, against dishonesty, malpractice, seriously improper conduct; complying with a regulatory requirement or safeguarding children and people at risk.

### **Purposes:**

**I use your personal information for the following purposes:**

- Provide legal advice, assistance and representation;
- Assist in training pupils and mini pupils;
- Investigate and address your concerns;
- Communicate with you about news, updates and events;
- Investigate or address legal proceedings relating to your use of my services, or as otherwise allowed by applicable law;
- Assist in any tendering or panel membership applications;
- Assist in any other applications for the purpose of professional development or career progression;
- Communicate legal updates and judgments to other legal professionals;
- For marketing purposes.
- For the management and administration of my practice
- To recover debt
- To manage complaints with regulators
- Communications with regulators
- Where relevant to conduct anti money laundering, terrorist financing or conflict of interest checks
- For training and professional development
- Complying with any professional, regulatory or legal requirement upon me, including responding to any requests made in accordance with data protection legislation.

**In the course of processing your information to provide legal services to you, I may share your personal data with:**

- Instructing solicitors or other lawyers involved in the case;
- A pupil or mini pupil, under my training;
- Opposing counsel, for the purposes of resolving the case;
- Court Officials, including the Judiciary;
- My lay client and opposing lay clients
- My chambers' management and staff who provide administrative services for my practice;
- Expert witnesses and other witnesses, potential witnesses or information others providing information;
- Other advisors and suppliers including operational support, solicitors, accountants, insurers and technical advisors;
- My regulator or legal advisors in the event of a dispute, complaint or other legal matter;
- Head of Chambers or complaints committee within my chambers, in the event of a complaint;
- Law enforcement officials, government authorities, or other third parties, to meet any legal obligations;
- Legal directories, for the purpose of professional development;

- Any relevant panel or tendering committee, for the purpose of professional development;
- Accountants and banking officials;
- Regulators or arbitrators, where complaints or disputes arise;
- Any other party where I ask you for consent, and you consent, to the sharing.
- I may also be required to disclose your information to the Police or Intelligence services where required by law or pursuant to a court order
- Your personal data may be shared with third-party contractors providing IT systems, storage and infrastructure. These processors are subject to contractual obligations in relation to ensuring the security and confidentiality of this information.

### **Transfers to third countries and international organisations**

If I transfer your personal data out of the United Kingdom, I ensure a similar degree of protection is afforded to it by ensuring:

- (a) The transfer of your personal data to countries that have been deemed, in accordance with applicable data protection regulations, to provide an adequate level of protection for personal data; or
- (b) Appropriate safeguards are applied such as entering into a contractual agreement with the recipient of the evidence.

Otherwise, I may transfer your personal data outside the United Kingdom where you have consented to the transfer, the transfer is necessary for the performance of a contract or pre-contractual measures with you, or the transfer is necessary for the conclusion or performance of a contract with another legal person in your interests. I may also transfer your personal data where this is necessary for important reasons of public interest recognised by applicable law.

**I retain your personal data** while you remain a client unless you ask me to delete it. My Retention and Disposal Policy (copy available on request) details how long I hold data for and how I dispose of it when it no longer needs to be held. I will delete or anonymise your information at your request unless:

- There is an unresolved issue, such as a claim or dispute;
- I am legally required to; or
- There are overriding legitimate business interests to do so.

I will typically retain case files for a period of 6 years following the conclusion of a case or receipt of final payment, whichever is the latest. This reflects the period required by the Bar Mutual Indemnity Fund relating to potential limitation periods.

Where various pleadings and documents have been drafted, they may be retained for learning purposes and legal research. Where this is the case, I will anonymise the personal information which may identify an individual.

## **Your rights**

The UK GDPR gives you specific rights in terms of your personal data. For example, you have the right of access to the information I hold and what I use it for; you can ask for a copy of the personal information I hold about you.

You can ask me to correct any inaccuracies with the personal data I hold, and you can ask me to stop sending you direct mail or emails or, in some circumstances, ask me to stop processing your details.

Finally, if I do something irregular or improper with your personal data, you can complain to the ICO if you are unhappy with how I have processed your information or dealt with your query. You may also seek compensation for any distress you are caused or loss you have incurred.

You can find out more information from the ICO's website:

[http://ico.org.uk/for\\_the\\_public/personal\\_information](http://ico.org.uk/for_the_public/personal_information)

## **Accessing and correcting your information**

You may request access to, correction of, or a copy of your information by contacting me at [alexander.west@albionchambers.co.uk](mailto:alexander.west@albionchambers.co.uk)

## **Marketing opt-outs**

You may opt out of receiving emails and other messages from my practice by following the instructions in those messages.

**I will occasionally update my privacy policy.** When I do so, I will publish the updated policy on my chambers' website profile.

