

BARRISTER DATA PROTECTION POLICY

DAVID SAPIECHA

ALBION CHAMBERS

BRISTOL

ICO REG: Z9275321

Policy effective from: 1st September 2022

Reviewed: 7th August 2024

Next Review date: 7th August 2025

DATA CONTROLLER

David Sapiecha (DS) is the data controller under the General Data Protection Regulations. He determines for what purposes personal information is held and/or will be used. DS is responsible for notifying the Information Commissioner of the personal information he holds or is likely to hold, and the general purposes for which the information will be used. In this policy document 'data' refers to information. 'Information' refers to personal information and will include sensitive personal information where appropriate.

OVERVIEW:

This policy is designed to demonstrate transparency as to how DS collects and uses certain personal information about individuals and how data protection obligations will be met. DS must collect information fairly, store it safely and not disclose it unlawfully. This policy applies to information processed in both electronic and physical format.

The applicable principles being:

1. Processing information lawfully, fairly and transparently,
2. Collecting information for specific, explicit and legitimate purposes,
3. The information is to be collected subject to requirements of adequacy, relevance and limited to what is necessary for processing
4. Accuracy, with reasonable steps being taken to ensure inaccurate information is corrected or deleted without delay,
5. information is to be kept only for the period necessary for processing,
6. information is to be kept securely against unauthorised access and/or unlawful processing and accidental loss, destruction or damage.

GDPR POLICY:

DS will take all reasonable steps, through appropriate management and application of technical controls to:

- a. adhere to conditions and rules regarding the fair collection and use of personal information,
- b. meet legal obligations to specify the purposes for which information is used,
- c. collect and process information only to the extent necessary to comply with legal requirements and operational needs.
- d. Ensure the accuracy and relevance of the information used,
- e. comply with appropriate retention and disposal of information.
- f. Facilitate the exercise of the rights of data subjects in respect of the information held and/or used by DS including, rights;
 - i. to be informed,
 - ii. of rectification
 - iii. of access,
 - iv. to object,
 - v. to erase,
 - vi. to restrict processing,
 - vii. to data portability,
 - viii. in respect of automated decision making and profiling.
- g. Maintain necessary technical and organisational security measures to safeguard information,

- h. maintain clear procedures for dealing with requests for information,
- i. When responding to requests for information treat people justly, fairly without discrimination of any sort.

DATA STORAGE:

DS will do all that is reasonable to ensure that information relating to service users are stored securely and are only accessible to the data holder and identified authorised persons. 'Authorised persons', include employees and members of Albion chambers with appropriate legitimate reasons for dealing with the information in accordance with a current data sharing policy between Albion Chambers and DS. Authorised person includes third parties engaged to process information for legitimate reasons. Such third parties to have in place current acceptable data protection policies and to be engaged on the basis of written instructions including a duty of confidentiality.

DISCLOSURE:

DS may share relevant information with:

- i) Solicitors,
- ii) Agencies and/or authorities instructing DS to advise and/or represent them or their interests,
- iii) Law enforcement officials,
- iii) Staff and/or members of Albion chambers,
- iv) Staff and/or members of Chambers other than Albion chambers ,
- v) Court and/or tribunal staff/members.
- vi) persons involved in cases or legal matters upon which DS has been instructed who represent the interests of other parties or otherwise have a legitimate interest in the information,
- vii) Other persons and organisations involved in the justice systems (for example probation service).
- vii) Regulators, arbitrators and other officials in the event of regulatory investigation or oversight.
- viii) Government departments
- ix) Any other person or organisation where consent is sought and given.

DS is allowed by law to disclose information (including sensitive personal information) without the data subject's consent:

- i) Where the individual has already made the information public,
- ii) to protect the vital interests of an individual,
- iii) Carrying out a legal duty authorised by the secretary of State,
- iv) Conducting any legal proceedings, legal advice or defending any legal rights,
- v) Monitoring for equal opportunities purposes
- vi) Providing a confidential service where the data subject's consent cannot be obtained or where it is reasonable to proceed without consent . EG to avoid forcing stressed rt ill persons to provide consent

DATA PROTECTION TRAINING

DS will do what he reasonably can to ensure he is appropriately trained in data protection requirements and procedures. He will seek to maintain an appropriate and current level of knowledge and understanding of the requirements.

CONCLUSION:

This policy will be reviewed and updated annually by the date of the anniversary of its inception to ensure compliance with the relevant rules and requirements at the time and to adhere to adaptations and changes in the same.

DAVID SAPIECHA

DATED

