



Privacy Notice (Recruitment & Employment)

Scope

This Privacy Notice applies to the processing by Cloisters of personal data belonging to **applicants** (including potential recruits) for employment, tenancy, pupillage and in connection with its **employees** and **other staff**.¹ It also governs the personal data which Cloisters processes in respect of mini-pupils, interns and those doing work experience placements.

Cloisters may need to collect and hold your personal information and we want you to know that you can trust us with your information. We are determined to do nothing that would infringe your rights or undermine your trust and we will take all steps that are appropriate, proportionate and practicable to protect your personal information. This Privacy Notice describes the information we collect about you, how it is used and shared, and your rights regarding it.

Data Controller

Cloisters is registered with the Information Commissioner's Office (ICO) as a Data Controller for the personal data that we hold and process. Cloisters' Head of Chambers (Martyn McLeish) is the registered Data Controller on behalf of Cloisters. Our registered address is Cloisters, 1 Pump Court, Temple, London EC4Y 7AA, and our registration number is Z4871549 (for Martyn McLeish).

¹ Once you are a tenant or pupil at Cloisters, the processing of your personal data by chambers is governed by a different Privacy Notice (the Privacy Notice for Tenants, Associate Tenants & Pupils).

Data Collection

The vast majority of the information that we hold about you is provided to us by you. We will tell you why we need the information and how we will use it.

Our Lawful Basis for processing your information

The General Data Protection Regulation (**GDPR**) and the Data Protection Act 2018 (**DPA**) (collectively "**the Data Protection Legislation**"). requires all organisations that process personal data to have a Lawful Basis for doing so.

Our **Lawful Bases** for processing your personal data will depend on the specific circumstances but will comprise one or more of the following:

- performance of a contract (or taking steps to enter into a contract);
- compliance with a legal obligation;
- performance or exercise of obligations or rights imposed or conferred by law on Cloisters or you in connection with employment, social security or social protection;
- establishing, exercising or defending legal claims;
- consent; and
- Legitimate Interests.

Our **legitimate interests** include:

- In the case of **applicants** or potential recruits for employment, tenancy, pupillage (including mini pupillage): we need to collect, assess and store information as part of recruitment exercises;
- In the case of Cloisters' **staff**: we need to process personal data in connection with appraisals or performance reviews, pay reviews and remuneration; to review professional development and training; to monitor sickness, assess working capacity and provide support with health and wellbeing; and to address disciplinary and grievance issues and/or complaints;
- In the case of **all** those covered by this Privacy Notice: we need to monitor equality and diversity; and we may need to process personal data to protect the business,

security (including information security and systems), property and reputation of Cloisters.

We use your information to:

- Recruit staff, pupils (as well as mini-pupils and interns) and tenants
- Assist with training and supervision
- Fulfil equality and diversity and other employment law and regulatory requirements
- Manage matters relating to employment, including payroll, benefits and pensions
- Respond to requests for references
- Address grievance or disciplinary issues
- Respond to potential complaints or make complaints
- Monitor and maintain the safety, security and integrity of our IT systems, premises and property
- Carry out activities necessary for the performance of employment or other contracts to which Cloisters and the relevant data subjects are parties

We do not use automated decision-making in the processing of your personal data.

We collect and process both personal data and special categories of personal data as defined in the Data Protection Legislation. This includes:

- Name;
- Email;
- Phone number;
- Address;
- Payment or bank details;
- Date of birth;
- Family and next-of-kin details;
- Location details;
- Device IP address;
- Financial information;

- Details about protected characteristics (such as disability, sex, race, age religion or belief, sexual orientation, gender identity, pregnancy/maternity, marital status);
- Details about trade union membership and/or activities;
- Medical records and/or health details;
- Criminal records and/or details relating to offences, alleged offences, criminal proceedings, outcomes and sentences;
- Details about work, education, skills/competencies, qualifications and/or training.

We may share your personal data, where that is necessary, with:

- Cloisters' management, Cloisters' barristers and staff;
- Third party suppliers (including in relation to IT services/support; CCTV; insurance providers; banks and building societies)
- Cloisters' legal advisors in the event of a dispute or other legal matter
- Law enforcement officials, government authorities, or other third parties to meet our legal obligations
- Any other party where we ask you and you consent to the sharing.

Transfers to third countries and international organisations

Cloisters does not usually need to transfer any personal data to third countries or international organisations but, if we do so, it will only be where we are satisfied that such transferred data is fully protected and safeguarded as required by the Data Protection Legislation.

We retain your personal data while you remain an applicant (eg, for employment, tenancy, pupillage, mini-pupillage/internships); in the case of Cloisters' **employees/staff**, we retain your personal data for 7 years thereafter and, in the case of **applicants** (for employment, tenancy, pupillage), for 1 year thereafter.

You are entitled to ask us to delete your personal data.

Our **Retention and Disposal Policy** (copy available on request) details how long we hold data for and how we dispose of it when it no longer needs to be held. We will delete or anonymise your information at your request unless:

- There is an unresolved issue, such as claim or dispute;
- We are legally required to; or
- There are overriding legitimate business interests, including but not limited to fraud prevention and protecting the safety and security of Cloisters' members, staff or clients.

Your Rights

The Data Protection Legislation gives you specific rights around your personal data. For example, you have to be informed about the information we hold and what we use it for, you can ask for a copy of the personal information we hold about you, you can ask us to correct any inaccuracies with the personal data we hold, you can ask us to stop sending you direct mail, or emails, or in some circumstances ask us to stop processing your details. Finally, if we do something irregular or improper with your personal data you can 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) and this is the organisation that you can complain to if you are unhappy with how we deal with you.

Accessing and Correcting Your Information

You may request access to, correction of, or a copy of your information by addressing your request to Cloisters' Data Compliance Lead and/or to our Management Committee.

We will occasionally update our Privacy Notice.

When we make significant changes, we will notify you of these through either mail or email. We will also publish the updated Notice on our intranet portal.

