

Privacy Notice for Andrew Buchan at Cloisters

I will need to collect and hold your personal information in order to advise and represent you. I will take all steps that are appropriate, proportionate and practicable to protect your personal information. I am determined to do nothing that would 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 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 Cloisters, 1 Pump Court, Temple, London EC4Y 7AA and my registration number is Z4755662 .

Data Collection

The vast majority of the information that I hold about you is provided to or gathered in the course of your case and/or proceedings. Your solicitor or other legal representative and/or I will tell you why we need the information and how we will use it. I process personal information about my lay and professional clients, about witnesses and experts and anyone ancillary to actual or potential proceedings.

Lawful Basis for processing your information

The General Data Protection Regulation (GDPR) requires all data controllers who process personal data to have a Lawful Basis for doing so. The Lawful Bases identified in the GDPR are:

- Consent of the data subject
- Performance of a contract with the data subject or to take steps to enter into a contract
- Compliance with a legal obligation
- To protect the vital interests of a data subject or another person

- Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- The legitimate interests of myself, 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:

- Where the data subject is a client or in the service of the data controller;
- Transmission within a group of undertakings for internal administrative purposes;
- Processing necessary to ensure network and information security, including preventing unauthorised access;
- Processing for direct marketing purposes, or to prevent fraud; and
- Reporting possible criminal acts or threats to public security.

I process your personal data to enable the necessary steps to be taken to enter into and/or to perform contracts for legal services and/or to comply with a legal obligation and/or for the purposes of my legitimate interests – namely, the provision of legal services, the development and marketing of my professional expertise and maintaining a record of the work I have carried out for my clients (including for regulatory purposes and in order to address any queries or concerns you may have). I also process data where that is necessary for the establishment, exercise and/or defence of legal claims.

I use your information to:

- Provide legal advice 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/products, or as otherwise allowed by applicable law
- Make statutory returns as required by the HMRC
- Maintain a record of the work I have carried out for you

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

I collect and process both personal data and special categories of personal data as defined in the GDPR. This may include:

- Name;
- Email;
- Phone number;
- Address;
- Payment or bank details;
- Date of birth;
- 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 and/or training.

Sharing personal data

I sometimes need to share the personal information I process with the individual and/or third parties. Where necessary or required, I may share information with:

- Solicitors, barristers and legal representatives
- Courts and other tribunals
- Pupils or mini pupils under my training or supervision
- My Chambers management and staff who provide administrative services
- Regulatory authorities, ombudsmen, insurance providers or legal advisors in the event of a dispute or other legal or relevant matter

- Law enforcement officials, government authorities, or other third parties to meet our legal obligations
- Any other party where I ask you and you consent to the sharing.

Transfers to third countries and international organisations

I do not usually need to transfer any personal data to third countries or international organisations but, if I do so, it will only be where I am satisfied that such transferred data is fully protected and safeguarded as required by the GDPR.

I retain your personal data while you remain a client and for 7 years thereafter, unless you ask me to delete it. I adhere to Cloisters' Data Retention Policy (copy available on request) which 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 claim or dispute;
- I am legally required not to; or
- There are overriding legitimate business interests, including but not limited to fraud prevention and protecting customers' safety and security.

Your Rights

The GDPR gives you specific rights around your personal data. For example, you have to be informed about 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, you can ask me to stop sending you direct mail, or emails, or in some circumstances ask me to stop processing your personal information. Finally, if I 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 and this is the organisation that you can complain to if you are unhappy with how I have dealt with your personal information.

Accessing and Correcting Your Information

You may request access to, correction of, or a copy of your information by contacting me at Cloisters, 1 Pump Court, Temple, EC4Y 7AA.

Marketing Opt-Outs

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

Cookies

Cookies are small text files that are stored on a browser or device by websites, apps, online media, and advertisements. The Chambers website use cookies to:

- Validate users
- Remember user preferences and settings
- Determine frequency of accessing our content
- Analyse site visits and trends

I will occasionally update my Privacy Notice. When I make significant changes, I will seek to notify you of this and/or I will publish the updated Notice on my website profile on the Cloisters' website at <http://www.cloisters.com/barristers/andrew-buchan>.