Counsel Privacy Notice

LPC Law, trading as 25 Canada Square Chambers, is aware of its obligations under the General Data Protection Regulation (GDPR) and is committed to processing your data securely and transparently. This Privacy Notice sets out, in line with GDPR, the types of data that we collect and hold on you as Counsel. It also sets out how we use that information, how long we keep it for and other relevant information about your data.

This Notice applies to current and former Counsel.

Data controller details
LPC Law is a data controller, meaning that it determines the processes to be used when using your personal data. Our address is LPC Law, 36 Creek Road, Greenwich, London SE8 3FN.

Data protection principles
In relation to your personal data, we will:

- process it fairly, lawfully and in a clear, transparent way;
- collect your data only for legitimate reasons during the course of your engagement with us in the ways that have been explained to you;
- only use it in the way that we have told you about;
- ensure it is correct and up to date;
- keep your data for only as long as we need it; and
- process it in a way designed to ensure it will not be lost, destroyed or used for anything that you are not aware of.

Types of data we process
We hold many types of data about you, including:

- your personal details including your name, address, email address, phone numbers
- your photograph
- gender
- medical or health information, specifically whether or not you have a disability
- information used for equal opportunities monitoring about your religion or belief, ethnic origin, age and marital status
- information contained on your CV including references, education history and employment history
- documentation relating to your right to work in the UK
- driving licence
- bank details
- details of your criminal record
- service commencement details

- service review outcomes
- a record of your performance in relation to certain criteria when carrying out services for LPC Law
- CCTV footage

How we collect your data

We collect data about you in a variety of ways and this will usually start when you apply for Counsel opportunities where we will collect the data from you directly. This includes the information you would normally include in a CV or a covering letter, or notes made by our Recruitment Department and/or interview panel members during an interview. Further information will be collected directly from you when you complete forms at the start of your engagement, for example, your bank details. Other details may be collected directly from you in the form of official documentation such as your driving licence, passport or other right to work evidence.

We have security measures in place at our office which includes CCTV. CCTV of the front door of the office is operational at all times and may capture audio in the lobby and Reception area. CCTV in the remainder of the office is operational during the hours of 6pm – 9am Monday to Friday and all of Saturday and Sunday. Images captured by our CCTV are securely stored and only accessed in accordance with our CCTV Policy. CCTV images are overwritten after approximately 30 days unless there is a legitimate reason for retention, such as legal proceedings or crime enforcement.

In some cases, we will collect data about you from third parties, such as former employers when gathering references, the Solicitors Regulation Authority (SRA), the Solicitors Disciplinary Tribunal, the Bar Council, the Bar Standards Board or information from credit reference agencies. For further information on how your data is used by the credit reference agency, TransUnion (formerly CallCredit), please refer to the TransUnion Bureau Privacy Notice: https://www.transunion.co.uk/legal-information/bureau-privacy-notice.

Personal data is held securely on our IT and Recruitment systems which are password protected and access to the information is restricted to those at LPC Law who require access to it to undertake their job.

Why we process your data

The law on data protection allows us to process your data for certain reasons only:

- in order to perform the contract that we are party to;
- in order to carry out legally required duties;
- in order for us to carry out our legitimate interests;
- to protect your interests; and
- where something is done in the public interest.

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All of the processing carried out by us falls into one of the permitted reasons. Generally, we will rely on the first three reasons set out above to process your data. For example, we need to collect your personal data in order to:

- carry out the Service Level Agreement (SLA) that we have entered into with you; and
- ensure you are paid if you submit an invoice to us.

We also need to collect your data to ensure we are complying with legal requirements such as:

- carrying out checks in relation to your right to work in the UK; and
- making reasonable adjustments for disabled contractors.

We also collect data so that we can carry out activities which are in the legitimate interests of LPC Law. We have set these out below:

- making decisions about who to engage as Counsel;
- maintaining up to date records about you to ensure, amongst other things, effective correspondence can be achieved;
- effectively monitoring both your conduct and your performance when carrying out services for LPC Law;
- dealing with legal claims made against us;
- preventing fraud; and
- ensuring our administrative and IT systems are secure and robust against unauthorised access.

Special categories of data

Special categories of data are data relating to your:

- health
- sex life
- sexual orientation
- race
- ethnic origin
- political opinion
- religion
- trade union membership
- genetic and biometric data

We must process special categories of data in accordance with more stringent guidelines. Most commonly, we will process special categories of data when one or more of the following applies:

- you have given explicit consent to the processing;
- we must process the data in order to carry out our legal obligations;
- we must process the data for reasons of substantial public interest;
- the processing is necessary for the establishment, exercise or defence of legal claims; and
- you have already made the data public.

As appropriate, we may ask for your consent to allow us to process certain particularly sensitive data. If this occurs, you will be made aware of the reasons for the processing. As with all cases of seeking consent from you, you will have full control over your decision to give or withhold consent and there will be no consequences where consent is withheld. Consent, once given, may be withdrawn at any time. There will be no consequences where consent is withdrawn.

Where consent is given, we will use your special category data:

- for the purposes of equal opportunities monitoring; and
- to determine reasonable adjustments.

Criminal conviction data

We will only collect criminal conviction data where it is appropriate given the nature of our work, that of our clients and where the law permits us. This data will usually be collected during the application process; however, it may also be collected during your engagement. We use criminal conviction data in order to complete the Pre-Engagement Screening Process.

We rely on the following lawful bases to process this data:

- 'Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.'
- 'Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.'

Your consent will be obtained for LPC Law to process this information. This information is used solely for the Pre-Engagement Screening Process. Consent must be freely given, specific, informed and unambiguous.

All offers of engagement with LPC Law are subject to successful completion of the Pre-Engagement Screening process which requires candidates to undertake a criminal records

check. Additionally, LPC Law are bound to protect the personal data of our clients and individuals.

If you do not provide your data to us

One of the reasons for processing your data is to allow us to carry out our duties in line with your SLA. If you do not provide us with the data needed to do this, we will be unable to perform those duties e.g. ensuring any invoice submitted by you is paid. We may also be prevented from confirming, or continuing with, your engagement with us in relation to our legal obligations if you do not provide us with this information.

Sharing your data

Your data will be shared with colleagues within LPC Law where it is necessary for them to undertake their duties. These include, for example, the Practice Manager for their supervision of you, the Advocacy Recruitment department for maintaining records and the Accounts department for administering payment under your SLA.

We will share your data in order to obtain references, undertake a credit reference check and financial sanctions check. You will be required to undertake a criminal records check.

If necessary to comply with the SRA's Standards and Regulations, data may be provided to the SRA or their agents in relation to the provision of services by the Counsel to LPC Law under their SLA.

Clients or other parties may from time to time request Counsel details. These will be provided only in accordance with the SLA and LPC Law's Information Security Policy.

LPC Law's accountants (Inspire Accounting (UK) Ltd) and our auditors (Adams Moorhouse) may have access to some of your data such as your name and address and any other information which is included on your invoices.

We may also share your data with third parties as part of a Company sale or restructure, or for other reasons to comply with a legal obligation upon us.

We do not share your data with bodies outside of the European Economic Area.

Protecting your data

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against this in our Data Protection Policy and Information Security Policy. These policies are available upon request from the Practice Manager or Pamela Gumuskaya who can be contacted at pamela.gumuskaya@lpc-law.co.uk.

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Where we share your data with third parties, we have a written agreement with them to ensure that your data is held securely and in line with GDPR requirements. Third parties must implement appropriate technical and organisational measures to ensure the security of your data.

How long we keep your data for

In line with data protection principles, we only keep your data for as long as we need it for, which will be at least for the duration of your engagement with us, though in some cases we will keep your data for a period after your engagement has ended. Retention periods can vary depending on why we need your data, as set out below:

Type of Record	Retention Period
Counsel Files including: Contact Details Equal Opportunities Monitoring Qualifications and Pre-Work History Bank Details	7 years after the engagement ceases.
Pre-Engagement Screening Checklist	7 years after the engagement ceases.
Passport/Right to Work documents	7 years after the employment or engagement ceases.
Practising Certificates (if applicable)	7 years after the employment or engagement ceases.
Pre-Engagement Screening Supporting Documents (with the exception of Practising Certificates/Right to Work documents)	6 months after the commencement of the engagement.
Name and Dates of Work	Indefinitely; only for the purposes of providing a reference, should you require one.

Automated decision making

No decision will be made about you solely on the basis of automated decision making (where a decision is taken about you using an electronic system without human involvement) which has a significant impact on you.

Your rights in relation to your data

The law on data protection gives you certain rights in relation to the data we hold on you. These are:

- The right to be informed. This means that we must tell you how we use your data and this is the purpose of this Privacy Notice.
- The right of access. You have the right to access the data that we hold on you. To do so, you should make a subject access request.
- The right for any inaccuracies to be corrected. If any data that we hold about you is incomplete or inaccurate, you are able to require us to correct it.
- The right to have information deleted. If you would like us to stop processing your data, you have the right to ask us to delete it from our systems where you believe there is no reason for us to continue processing it.
- The right to restrict the processing of the data. For example, if you believe the data we hold is incorrect, we will stop processing the data (whilst still holding it) until we have ensured that the data is correct.
- The right to portability. You may transfer the data that we hold on you for your own purposes.
- The right to object to the inclusion of any information. You have the right to object to the way we use your data where we are using it for our legitimate interests.
- The right to regulate any automated decision-making and profiling of personal data. You have a right not to be subject to automated decision making in way that adversely affects your legal rights.

Where you have provided consent to our use of your data, you also have the unrestricted right to withdraw that consent at any time. Withdrawing your consent means that we will stop processing the data that you had previously given us consent to use. In some cases, we may continue to use the data where so permitted by having a legitimate reason for doing so. One of the reasons for processing your data is to allow us to carry out our duties in line with your SLA. If you withdraw consent to process the data needed to do this, we will be unable to perform those duties e.g. any invoice submitted by you is paid. We may also be prevented from confirming, or continuing with, your engagement with us in relation to our legal obligations if you do not provide us with this information.

If you wish to exercise any of the rights explained above, please contact Pamela Gumuskaya at Pamela.Gumuskaya@lpc-law.co.uk.

Making a complaint

If you would like to make a complaint about the way in which LPC Law has processed your data, please contact Pamela Gumuskaya at pamela.gumuskaya@lpc-law.co.uk. We will take reasonable steps to resolve or answer concerns as soon as possible and normally within 30 days.

Alternatively, you have the right to make a complaint to the Information Commissioners Office, the UK supervisory authority for data protection issues. Further details can be found at ico.org.uk.

Data Protection Officer

LPC Law's Data Protection Officer is Pamela Gumuskaya who can be can be contacted at Pamela. Gumuskaya@lpc-law.co.uk.