

Privacy Notice

Please read the following information carefully. This privacy notice contains information about what data I collect and store about you and why. It also tells you who I share this information with, the security mechanisms I have put in place to protect your data and how to contact me if you have a complaint.

I, Malcolm Duthie, collect, use and am responsible for personal information about you or your client. When I do this, I am the Data Controller of this information for the purposes of the General Data Protection Regulation and other applicable data protection laws.

Information collected by me

When instructed, I collect the following personal information that you or any one authorized to act on your behalf provide to me:

- Information that you provide via an email address, post and any other method;
- Name and Job Title;
- Contact Information including home address, telephone number, date of birth and email address;
- A record of any correspondence;
- Information about your instructions which may include personal data
- Some Sensitive personal information when required as part of your instruction

Information collected from other sources

I may collect the following information from other sources:

- Contact Details, Name, Home Address, Telephone number, Date of Birth and email address;
- Details of your instructions;
- Information provided by a solicitor relating to the instruction;
- Any evidence obtained throughout your instruction, which could contain personal opinions, political beliefs, medical history, and other special categories of data;
- Some Sensitive personal information when required as part of your instruction

How I use your personal information

I use your personal information for the following purposes:

- To provide a legal service to you or your client;
- Act on behalf of the client;
- Investigate on behalf of the client;

Legal reasons I collect and use your personal information

Malcolm processes personal data for the purposes of his legal practice. I rely on your instructions as a contract to act on your behalf for the legal basis for processing your information.

Who will I share your personal information with?

I will share information with No 5 Chambers Ltd and their employees, who act as a Data Processor and IT service providers.

I have relationships with other third parties (such as courts, tribunals, mediators; other professionals such as expert witnesses; opposing parties, opposing solicitors, opposing barristers and their chambers, and other third parties participating on the litigation), that I may share data relating to your instruction with. I may share your name, address, date of birth and case information. This data sharing enables me to carry out contractual and legal obligations in order to provide a service to you, or your client, and conduct administrative support. For a list of these third parties contact myself.

I will share personal information with law enforcement agencies if required by applicable law. I will not share your personal information with any other third parties without your consent.

After 31 December 2020, Malcolm may transfer personal data outside of the UK as part of his legal practice. Those transfers will be made for the purposes of legal claims, pursuant to adequacy regulations under section 17A of the Data Protection Act 2018 or pursuant to standard data protection clauses specified by the Secretary of State pursuant to Section 17C DPA 2018 or by the Information Commissioner pursuant to section 119A DPA 2018.

It may be necessary to transfer your personal information outside the UK or to an international organisation, in order to adhere to my contractual obligations to provide a service. A list of all countries that your personal data may be transferred to can be provided to you upon request.

If you would like any further information, please contact me on md@no5.com.

How long will I store your personal data?

I hold data securely and in line with any regulatory obligations. Throughout the process of your instruction personal and sensitive data is taken and is required to ensure that all of our information is correct, so I can handle your instruction in a timely and lawful manner. Any documentation, requests, evidence and associated notes or telephone recordings will be stored electronically to which access is restricted on a need to know basis. No5 Chambers and Clerks within No5 Chambers will need access to your personal and sensitive information in order to conduct our contractual obligations. This information will be kept for *7 years*, in order to comply with accounting rules and in order that information remains available in the event of civil claims brought during limitation periods and subsequently deleted after this time.

Your Rights

Under the General Data Protection Regulation, you have a number of important rights that you can exercise free of charge. In summary, these rights are:

- Transparency over how I use your personal data and fair processing of your information;
- Access to your personal information and other supplementary information;
- Require me correct any mistakes or complete missing information I hold on you;
- Require me to erase your personal information in certain circumstances;
- Receive a copy of the personal information you have provided to me or have this information be sent to a third party, this will be provided to you or the third party in a structured, commonly used and machine-readable format;
- Object at any time to processing of your personal information for direct marketing;
- Object in certain other situations to the continued processing of your personal information;
- Restrict my processing of your personal information in certain circumstances;
- Request not to be subject to automated decision making which produce legal effects that concern you or affect you in a significantly similar way.

If you want more information about your rights under the GDPR please see the Guidance from the Information Commissioners Office on [Individual's rights under the GDPR](#).

If you want to exercise any of these rights, please:

- Email, call or write to me: Malcolm Duthie, md@no5.com, No5 Chambers, Fountain Court, Steelhouse Lane, Birmingham. B4 6DR; 0121 606 0500

- Provide information so that I can identify you, for example; a copy of your Passport, Driver's License, Utility Bill etc. I may need to contact you to request further information to verify your identity;
- Let me have proof of your identity and address;
- State the right or rights that you wish to exercise.

I will respond to you within one month from when I receive your request.

How to make a complaint?

I hope that you are happy with the service I provide and that I can resolve any issues or complaints that arise. Please get in touch if you have any concerns.

The General Data Protection Regulations also give you the right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where the alleged infringement of data protection laws occurred. The UK supervisory authority is the Information Commissioner's Office who can be contacted at <https://ico.org.uk/concerns/>.

Security

I take information security seriously and want to ensure you and your client are aware of what procedures and processes I have in place to support this. [My IT is outsourced to Cloud Systems and I have undergone due diligence to ensure GDPR compliance from their company. I also share data with my clerks who are classified as Data processors]. I have Third Party agreements in place which clearly defines how any data I provide to them is processed in accordance with this policy. I conduct reviews of policies and data on an annual basis to ensure that no data is kept for longer than is necessary and the relevant retention periods are adhered to. I complete regular training on the GDPR and Information Security.

Future Processing

I do not intend to process your personal information for any reason other than stated within this privacy notice. If this changes, I will inform you by your preferred method of contact which we will have obtained from the outset.

Changes to this privacy notice

This privacy was published in May 2018. Privacy practices may change this policy from time to time. When I do, I will inform you by your preferred method of contact.

Contact me

If you have any questions about this privacy notice, or the information I hold about you, please contact me directly and we will happily discuss this with you.

The best way to reach me is to contact md@no5.com

Alternative formats

If it would be helpful to have this notice provided in another format (for example: in another language, audio, braille) please contact me.

This notice will be reviewed annually.

January 2021