

## **Privacy notice – Louisa Denning**

### **1. About this privacy notice**

This privacy notice describes how Louisa Denning deals with (or “processes”) personal data.

### **2. Who is the data controller?**

Louisa is the data controller for all the processing described in this notice.

Louisa is a barrister in independent (self-employed) practice from No5 Barristers Chambers.

Louisa is registered as a data controller with the UK Information Commissioner.

Louisa is bound by the rules contained in the Bar Standards Board’s Handbook, including the duty to maintain the confidentiality of her clients’ affairs.

### **3. How to contact Louisa about her processing of personal data**

To contact Louisa about her processing of personal data, you can email [ld@no5.com](mailto:ld@no5.com) or write to Louisa Denning at No.5 Chambers, Steelhouse Lane, Birmingham B4 6DR.

### **4. What personal data does Louisa process?**

#### ***Personal data relevant to Louisa’s legal services***

Louisa processes personal data provided by her clients in the context of requests for her legal services and other related services.

That personal data may relate to Louisa’s clients, or to:

- witnesses or other individuals concerned in the request for legal advice or the relevant dispute or matter;
- any opposing parties in the relevant matter (or their representatives, where the opposing party is a corporate body);
- other barristers, solicitors and professional representatives (including expert advisors or witnesses) acting for Louisa’s clients or for any opposing parties; and
- mediators, adjudicators and judges who have been or are likely to be involved in the relevant matter.

In this context, Louisa processes personal data that Louisa or Louisa’s clients consider relevant to the requested legal services. This also includes information relevant to the payment of Louisa’s professional fees – such as bank account information.

Louisa may also receive personal data from opposing parties in litigation or disputes, or from individuals acting on behalf of the courts or regulators. That personal data will again include information that the individual providing the data considers relevant to the dispute or matter.

In some situations, the information that Louisa receives from her client will include special category data (falling under Article 9 or 10 GDPR). This may include, for example:

- information as to the health of clients or others involved in a case or request for legal advice; and
- information in relation to protected characteristics.

### ***Other personal data***

Louisa also processes personal data in other contexts – such as in relation to:

- other participants in professional interest groups, legal education events or similar groups or events;
- individuals who offer goods or services to Louisa – such as (for example) accountants and financial advisors;
- individuals who contact Louisa in relation to a case, interest group, event or other matter in which Louisa does not (for whatever reason) eventually participate; and
- Louisa's contacts on social media.

In this context, Louisa may process contact details, information about work positions and other personal data provided by relevant individuals.

### ***Freedom to withhold personal data***

Individuals are free to withhold personal data. However if clients withhold personal data, this may affect Louisa's ability to provide legal services for those clients.

Individuals may obtain more information as to the impact of withholding personal data in their particular circumstances by contacting Louisa in the manner described in section 3 of this notice.

## **5. What does Louisa use personal data for?**

Louisa processes personal data for the purposes of her legal practice. This includes:

- Providing legal services, including legal advice, representation in litigation before the courts and tribunals in the UK and elsewhere, and representation in other contexts – for example in disciplinary proceedings or public enquiries.
- Other incidental activities, such as teaching law or professional skills, participating in industry events for the sharing of knowledge or discussion of relevant legal developments, the provision of legal or skills training, or participating (in the capacity of a self-employed barrister) in other (for example public, political or charitable) bodies and institutions.
- Social activities related to Louisa’s professional activity – for example participating in or organising social events for barristers and other professionals.
- Carrying out invoicing and fee collection activities.
- Marketing Louisa’s practice and skills to clients and potential clients, including by publishing details of past cases on the internet, or submitting details of past cases to legal directories.
- Applying for appointments such as to panels of counsel maintained by third parties, or for accreditation as (for example) Queen’s Counsel.
- Maintaining records of Louisa’s practice and fee receipts for the purposes of business planning and submission to third parties such as accountants, financial advisors and providers of professional indemnity insurance.
- Responding in the event of complaints.

Louisa is regulated by the Bar Standards Board, and bound to comply with the BSB Handbook. Louisa may therefore also process personal data for the purposes of complying with her obligations laid down by the BSB Handbook or otherwise by the Bar Standards Board or other authorities exercising powers conferred by law.

Finally, Louisa stores and processes personal data for the purposes of bringing and responding to claims arising out of her provision of legal services and other incidental activities, and in order to comply with accounting rules.

As a general rule, it will be clear from the context in which personal data is provided to Louisa which of these purposes will be relevant. However individuals can seek clarification by contacting Louisa in the manner described in section 3 of this notice.

## **6. The legal basis for Louisa's processing**

Louisa processes personal data as is necessary for the pursuit of her legitimate interests.

Those legitimate interests include:

- providing legal and other similar services for Louisa's clients;
- complying with applicable law and regulatory requirements (including, but not limited to, Louisa's obligations under the BSB Handbook and any other requirements imposed by the Bar Standards Board or another authority acting pursuant to law);
- managing Louisa's practice and professional commitments;
- marketing Louisa's professional services;
- carrying out Louisa's other professional and incidental activities, as referred to in section 5 of this notice;
- bringing or responding to claims arising out of Louisa's activities, and meeting the requirements of Louisa's professional indemnity insurance; and
- complying with accounting rules.

### ***Special category data***

As described in section 4 of this notice, Louisa may occasionally process special category data in the context of providing legal services. Louisa processes this personal data for the purposes of the establishment, exercise or defence of legal claims.

### ***Right to object***

Individuals whose personal data is processed by Louisa in pursuit of her legitimate interests have the right under Article 21(1) of the GDPR to object to that processing.

Individuals whose personal data is processed by Louisa for direct marketing purposes have the right under Article 21(2) to insist that that processing immediately stops.

In order to exercise those rights, individuals may contact Louisa in the manner described above.

In the event of an objection:

- any processing for the purposes of providing legal services will continue, pursuant to Article 21(1) of the GDPR;

- any processing for the purposes of direct marketing activities will immediately cease; and
- as regards processing for other purposes:
  - that processing will continue if Louisa can demonstrate overriding legitimate grounds for the processing; and
  - pending verification of whether overriding legitimate grounds exist for the processing, the processing will be restricted in accordance with Article 18 of the GDPR.

## **7. Recipients to whom Louisa sends personal data**

Louisa transfers personal data to a broad range of recipients.

### ***Recipients within No5 Barristers Chambers***

Louisa transfers personal data to No 5 Chambers Limited for the purposes of obtaining its assistance as data processor in the administrative and financial running of her practice.

Louisa may also transfer personal data:

- to other members of No5 Barristers Chambers, for example:
  - where other members are instructed by the same client to provide legal services in relation to the same proceedings or request for advice; or
  - where other members are instructed as opposing barristers in the same proceedings; or
  - to pupils or individuals undertaking “mini-pupillage” or other work experience within chambers.

### ***IT service providers***

Louisa transfers personal data to third parties providing IT facilities and related services as data processors. This includes providers of email processing and storage services, storage and backup of other electronic files, network and internet services, telephony services, and confidential waste and IT equipment destruction services.

### ***Other recipients***

Louisa transfers personal data to other entities and individuals involved in legal proceedings. This may include:

- Louisa’s clients, their representatives and professional advisors;
- courts, tribunals, arbitrators and mediators;
- witnesses and other professionals such as expert witnesses; and
- opposing parties, opposing solicitors, opposing barristers and their chambers and other third parties participating in litigation.

Louisa may also transfer personal data to recipients outside the context of legal proceedings.

This may include:

- other barristers or organisations which represent the interests of barristers or organise events or training for barristers;
- regulatory authorities (such as the Bar Standards Board), Ombudsmen and other authorities exercising legal powers);
- various third parties in connection with external appointments (such as judicial appointments);
- entities involved in the selection of barristers as panel counsel or Queen’s Counsel;
- professional advisers, for example when seeking legal, financial or accountancy advice or services;
- third party providers of listings or directories of barristers;
- individuals providing assistance such as legal assistants or researchers or typists;
- third party service providers such as restaurants, venue operators or events management companies; and/or
- third parties involved in journalistic or publicity-raising activities, such as events organisers or legal publishers.

## **8. Transfers of personal data to other jurisdictions**

Louisa may transfer personal data outside the UK in situations corresponding to the situations described elsewhere in this section 8.

Those transfers will be made for the purposes of legal claims, pursuant to adequacy regulations under section 17A of the Data Protection Act 2018 (“**DPA18**”) or pursuant to standard data protection clauses specified by the Secretary of State pursuant to section 17C DPA18 or by the Information Commissioner pursuant to section 119A DPA18.

Further details of individual transfers and safeguards may be obtained by contacting Louisa in the manner described in section 3 of this notice.

### **9. How long Louisa keeps personal data for**

As described in section 5 of this notice, Louisa processes personal data for various purposes, including for the purposes of ensuring her legal and regulatory compliance and bringing or responding to civil claims.

For this reason, Louisa retains personal data for a period of seven years, in order to comply with accounting rules and in order that information remains available in the event of civil claims brought during normal limitation periods.

That seven year period will start on the date on which the communication or document containing personal data was received by Louisa, except where:

- the communication or document is relevant on an ongoing basis to Louisa's provision of services for a client – in which case the period will start on the date on which Louisa's provision of services for that client finally ends; or
- the communication or document has been used in or relevant to Louisa's other professional activities (such as participation in an event) – in which case the period will start when the activity comes to an end; or
- the communication or document has been used in or relevant to the provision of services to Louisa – in which case the period will start when the services come to an end; or
- the communication or document has been relevant to or used in enforcement action or legal proceedings – in which case the period will start on the date on which the enforcement action or legal proceedings were finally resolved (including any appeals); or
- you agree that Louisa can retain your personal data for longer – in which case the period will start on the date that you indicate your agreement.

Louisa conducts a deletion exercise at least once per year, during which any personal data which is "expired" in accordance with these principles is deleted.

## **10. Your other rights**

You have rights to object to Louisa's processing of personal data, as described in section 6 of this notice.

You also have the following additional rights:

- the right to information about and access to your personal data, under Article 15 of the GDPR;
- the right to have inaccurate personal data rectified, and incomplete data completed, under Article 16;
- the right to have your personal data erased, under Article 17;
- the right to have processing activities restricted, under Article 18;
- the right to data portability, under Article 20;
- the right to withdraw consent, where processing is based on consent, under Article 7(3);
- the right not to be subject to decisions based on automated processing which produce legal or other similarly significant effects, under Article 22; and
- the right to complain to a supervisory authority, under Article 77.

To exercise these rights in relation to Louisa's processing of your personal data, please contact Louisa in the manner described in this notice. 11.

## **11. Review of this notice**

This notice will be reviewed annually.

January 2021