

# David Tyack QC Privacy Policy

## **My contact details**

Name: David Tyack QC

Address: No 5 Chambers, Fountain Court, Steelhouse Lane, Birmingham, B4 6DR

Phone Number: 07946 191207

E-mail: dgt@no5.com

## **The type of personal information I collect**

I currently collect and process the following information:

- Personal identifiers, contacts and characteristics (for example, name and contact details)
- Personal information on lay clients. The most sensitive information that I collect and process in my area of work is information on their health and medical conditions (including medical records and reports on their condition and prognosis), financial information on them (e.g. how much they earn) and other sensitive information (such as information related to their family relationships).
- Personal information on professional (i.e. solicitor) clients. This essentially is their name and contact details.
- Personal information on expert witnesses This essentially is their name and contact details and (where I store expert reports from them, sometimes their CVs)
- Personal details on others in connection with work. This essentially is the names and email addresses on opponents and judges with whom I have corresponded by email in the course of my work, the names and addresses of Chambers employees and the names of others with whom I communicate for the purposes of work (such as other members of Chambers, professional bodies, the Bar Council, my accountant etc).



## **How I get the personal information and why I have it**

Most of the personal information I process is provided to me directly by you for one of the following reasons:

- For use in connection with my professional work and duties

I also receive personal information indirectly, from the following sources in the following scenarios:

- Where a solicitor or member of chambers has forwarded to me an email from someone in connection with my profession as a barrister. This may be something like a notification of a recent reported case or information about talk or an issue in Chambers. It would obviously never include privileged or confidential information in relation to a case in which I was not involved.

I use the information that you have given us in order to perform my duties as a barrister, e.g.:

- Make case notes for my own benefit
- Prepare written advice
- Prepare pleadings
- Prepare written or oral advocacy

We may share this information with professional and lay clients and where necessary for the purposes of advocacy the Court/a judge or my opponent. I would however not share privileged information with anyone other than my professional and lay client without my lay client's consent.

Under the General Data Protection Regulation (GDPR), the lawful bases rely on for processing this information are: **[delete as appropriate]**

**(a) Your consent. You are able to remove your consent at any time. You can do this by contacting me (details above).**

**(b) I have a contractual obligation.**

**(c) I have a legal obligation.**

**(d) I have a vital interest.**

**(e) I need it to perform a public task - the processing is necessary for the establishment, exercise or defence of legal claims.**

**(f) I have a legitimate interest – i.e. I need process the information to discharge my contractual duties as a barrister.**



## **How I store your personal information**

Your information is securely stored on:

- Chambers' secure system (DropBox; Works folder).
- [In some cases] on the hard drive of one of my 2 laptops or [in the case of some documents] on my virtual OneDrive, which are password protected and kept secure
- I do however delete documents on OneDrive periodically and try to ensure they are kept on the Chambers' secure system.
- [In the case of recent emails] on my iPhone. This is passcode protected. It is always kept secure. If it is ever lost, I can track it and I believe delete it on the Find My iPhone app.
- In some cases in paper form at home and in Chambers. However, I am moving into a paperless system so I will dispose of my papers confidentially as and when I can (Covid permitting). The papers are securely stored at home and at Chambers
- It is the case that when I am working in my study at home the door to my study is unlocked. There are some papers which contain some personal data. However, the only other people in the house are my wife and my children who are teenagers. I am satisfied beyond any reasonable doubt that no one in my family would look at any personal data even if they had the opportunity to look at personal data. They would not be able to look at my laptops anyway.

I keep all personal information in relation to any case for at least 6 years after any case is settled. I will then dispose your information by disposing of any remaining papers and removing them from any electronic system.

## **Your data protection rights**

Under data protection law, you have rights including:

**Your right of access** - You have the right to ask us for copies of your personal information.

**Your right to rectification** - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

**Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances.

**Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

**Your right to object to processing** - You have the the right to object to the processing of your personal information in certain circumstances.

**Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, I have one month to respond to you.

Please contact me at [dgt@no5.com](mailto:dgt@no5.com) or 07946 191207 if you wish to make a request.



## **How to complain**

If you have any concerns about our use of your personal information, you can make a complaint to us at No 5 Chambers, Fountain Court, Steelhouse Lane, Birmingham, B4 6DR. Phone: 0121 6060500. Personal contact: Robert Woods, Senior Practice Manager and Data Protection Manager. Email: robertw@no5.com

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>