

## **SIMON READHEAD Q.C.**

### **PRIVACY NOTICE**

#### **Introduction**

1. I am committed to handling your personal information fairly, lawfully and securely in accordance with current data protection laws. This privacy notice contains information about the personal information which I obtain, process and retain about you together with my reasons for processing and retaining it. It also tells you with whom I share your personal information, the security I have put in place to protect your personal information, your rights and how to contact me if you would like me to provide you with further details.

#### **Who am I?**

2. I am a barrister in independent practice at the Bar in England and Wales providing legal services. I practice from chambers at 1 Chancery Lane, London WC2A 1LF (“1 Chancery Lane”). I am also the head of chambers at 1 Chancery Lane and the chairman of 1 Chancery Lane Limited (“1 Chancery Lane Limited”), company registration number 11112872, which has its registered office at 1 Chancery Lane, London WC2A 1LF.
3. I obtain, process, retain and am responsible for personal information about you. When I do this I am the “controller” of this information for the purposes of the EU Directive General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018.
4. I am registered with the Information Commissioner’s Office. My registration reference is Z6657233.
5. If you have any questions relating to data protection or the obtaining, processing and retaining by me of your personal information you can contact me by email at [sreadhead@1chancerylane.com](mailto:sreadhead@1chancerylane.com) or by writing to me at 1 Chancery Lane, London, WC2A 1LF.
6. You can also obtain further information and independent advice about data protection and data privacy concerns in the United Kingdom by contacting the Information Commissioner’s Office at [www.ico.org.uk](http://www.ico.org.uk) or by telephone on 0303 123 1113.

## **What do I do with your personal information?**

7. When I provide legal services, provide a reference or otherwise act as a barrister in independent practice in England and Wales I may obtain personal information (which may include sensitive personal information) that you provide to me or which is provided to me on your behalf.
8. I may process personal information about individual clients who may be persons or organisations, about my professional clients, about witnesses and experts and about anyone else related to or concerned with the legal services which I provide.
9. I have set out below the types of personal information that I may process:
  - 9.1. Personal details.
  - 9.2. Contact details.
  - 9.3. Identification documents for the purposes of confirming identity.
  - 9.4. Family details.
  - 9.5. Details of physical and mental health including clinical records, general practitioner records and records of any tests, examinations or investigations.
  - 9.6. Lifestyle details and social circumstances.
  - 9.7. Financial details including accounting records, bank details and pay slips.
  - 9.8. Education, training and employment details.
  - 9.9. Details of race and ethnicity.
  - 9.10. Details of sexual activities and orientation.
  - 9.11. Details of political, religious and philosophical beliefs.
  - 9.12. Details of criminal proceedings, disposals, sentences and penalties.

- 9.13. Details of other personal data which is relevant to the independent legal services which I provide.

### **Information obtained from third parties**

10. I may also obtain the same types of personal information as that set out above from third parties, such as other legal professionals or authorised persons who have instructed me to act for you and/or on your behalf, experts, members of the public, your family and friends, witnesses, courts and other tribunals, investigators, government departments, regulators, public records and registers.

### **How do I use your personal information?**

11. If I have been instructed or asked for a preliminary or informal view on your behalf or I have been asked to provide a reference for you, your personal information has been provided to me for that purpose. It has also been provided to me to enable me to comply with the professional obligations with which I must comply when providing independent legal advice as a barrister and to keep full accounting records.

12. I have set out below the purposes for which I may process your personal information:

12.1. Providing legal services to clients and former clients who may be persons or organisations including providing independent legal advice and representation in courts, tribunals, arbitrations, and mediations.

12.2. Providing information and argument, both orally and in writing, to the courts and tribunals in whose proceedings I may take part.

12.3. Complying with my professional obligations when providing independent legal advice as a barrister.

12.4. Keeping full accounting records.

12.5. Running my practice properly and efficiently.

- 12.6. Discharging my obligations, including liaising with those providing clerking, administrative, financial, marketing and other services, related to or in connection with my being:
- 12.6.1. A member of chambers at 1 Chancery Lane.
  - 12.6.2. The head of chambers at 1 Chancery Lane.
  - 12.6.3. The chairman of 1 Chancery Lane Limited.
- 12.7. Liaising with my own professional advisers and regulators including my accountants and insurers.
- 12.8. Taking or defending legal or regulatory proceedings.
- 12.9. Responding to complaints both actual and potential against me or, in my role as head of chambers at 1 Chancery Lane or as chairman of 1 Chancery Lane Limited, against another person.
- 12.10. Making a complaint against another person or organisation
- 12.11. Checking for potential conflicts of interest in relation to both existing clients and in respect of cases in which I may be instructed in the future.
- 12.12. Promoting and marketing my legal services.
- 12.13. Carrying out money laundering, terrorist and any other financial checks, investigations and reports.
- 12.14. Training, supervising, advising and guiding other barristers including those doing pupillage and providing work experience opportunities for students.
- 12.15. Responding to requests for references and the provision of information for legal directories, appointments commissions and other recruitment agencies.
- 12.16. Procuring the provision of assets, goods and services.

12.17. Publishing legal judgments and decisions of courts and tribunals or publishing articles of interest including blog posts.

12.18. Performing any other relevant activities permitted or required by law.

### **Legal basis for processing your personal information**

13. I have set out below the lawful bases on which I rely when obtaining and processing your personal information:

13.1. If you have consented to my processing of your personal information then I may process your personal information for the purposes set out above.

13.2. If you are a client, whether a person or an organisation, my processing of your personal information may be necessary for me to provide you with independent legal services or in order for me to take certain steps at your request prior to entering into a contract for the provision of legal services by, for example, providing you or those acting on your behalf with a quotation or a reference.

13.3. Where I am entitled by law to process your personal information or where my processing of it is necessary for the purpose of providing legal advice, in connection with any legal proceedings including regulatory and disciplinary proceedings or in any other way for the purpose of establishing, exercising or defending your legal rights or the rights of another.

13.4. Where either I or a third party has a legitimate interest in processing your personal information for the purposes set out above.

13.5. In certain circumstances my processing of your personal information may be necessary so that I can comply with the legal obligations with which I must comply as a barrister including carrying out money laundering, terrorist and any other financial checks, investigations and reports.

13.6. My processing of your personal information is necessary for the purpose of publishing the legal judgments or other decisions of any court or tribunal or publishing articles of interest including blog posts.

### **With whom will I share your personal information?**

14. If you are a client, whether a person or an organisation, some of the personal information which you provide to me or is provided to me on your behalf will be protected by legal professional privilege unless and until that personal information enters the public domain in the course of any proceedings before a court or tribunal or becomes public in some other way.
15. As a barrister regulated by the General Council of the Bar of England and Wales I have a professional obligation to keep your personal information confidential except where it is disclosed in proceedings before a court or tribunal or becomes public in some other way.
16. However, it may be necessary for me to share your personal information. I have set out below the persons or organisations with whom it may be necessary for me to share your personal information. These include but are not limited to:
  - 16.1. Other data processors including the clerks and other staff of my chambers at 1 Chancery Lane and the directors and employees of 1 Chancery Lane Limited.
  - 16.2. Marketing and other consultants engaged to advise and assist my chambers at 1 Chancery Lane or the directors and employees of 1 Chancery Lane Limited.
  - 16.3. The employees and staff of the organisations which provide me, 1 Chancery Lane or 1 Chancery Lane Limited with information technology systems and services including e-mail and data storage services.
  - 16.4. Other legal professionals.
  - 16.5. Experts and other witnesses.
  - 16.6. Prosecution authorities.
  - 16.7. Courts, tribunals, arbitrators and mediators.
  - 16.8. Pupil barristers.
  - 16.9. After first obtaining your permission, students on work experience.

- 16.10. Clients whether individuals or organisations.
  - 16.11. The family, friends and associates of the person whose personal information I am processing or retaining.
  - 16.12. In the event of actual or potential complaints, other members of chambers at 1 Chancery Lane and the staff of 1 Chancery Lane Limited who deal with such complaints, the Bar Standards Board, the General Council of the Bar of England and Wales and the Legal Ombudsman.
  - 16.13. The Legal Aid Agency and other public funding agencies.
  - 16.14. Insurance and other companies providing legal expenses insurance or otherwise providing funding or indemnities in respect of legal or other proceedings.
  - 16.15. Other regulatory or disciplinary authorities including agencies involved in protecting public funds and preventing fraud.
  - 16.16. Current, past or prospective employers.
  - 16.17. Education and examining bodies;
  - 16.18. Business associates, professional advisers, insurers and trade bodies including the General Council of the Bar of England and Wales and the Inns of Court.
  - 16.19. The intended recipient where I have been asked to provide a reference.
  - 16.20. The general public in relation to the publishing of legal judgments or other decisions of any court or tribunal or publishing articles of interest including blog posts.
17. I may also be required to provide your personal information to regulators such as the Bar Standards Board, the General Council of the Bar of England and Wales, the Financial Conduct Authority and the Information Commissioner's Office.
18. I may also be required to disclose your personal information to the police or intelligence services where I am permitted or required to do so by law.

### **How long will I retain your personal information?**

19. I will normally retain your personal information until at least 1 year after the expiry of any relevant limitation period. This will usually be 6 years but may be 12 years. However, in the case of protected parties, whether because they are children or young people or because they lack the capacity to litigate or manage their own personal and other affairs, the limitation period will not begin to run until they are aged 18 or until they recover capacity and the limitation period will then continue for 3 years from that date or possibly longer.
20. I will calculate the retention period for your personal information from the date of the last piece of work which I carried out, the date of the last payment which I received or the date on which any further payments due to me were written off whichever is the latest. This is because your personal information may be needed for potential or actual legal or other proceedings including regulatory matters or complaints.
21. At this point I will review your personal information and decide whether to delete it or retain it for a further period. If I decide to retain your personal information for a further period, this will usually be because your personal information is or may be required for legal or other proceedings including regulatory matters or complaints.
22. When I have decided to delete your personal information I will do as soon as this is reasonably practicable and without notice or reference to you.
23. I will retain some of your personal information indefinitely. This is because I need to retain it to check for any potential conflicts of interest in respect of future clients and cases. This will usually be limited to your name and contact details and the name of the case or other proceedings for which I was provided with your personal information.
24. I will retain your personal information, including names and contact details provided to me directly or indirectly, for or in connection with marketing purposes indefinitely or until I am informed or become aware that the person or organisation has ceased to be a client or a potential client or no longer wishes to receive any marketing or other information from me.

## **Consent**

25. Where I rely on your consent to process your personal information you have the right to withdraw this consent at any time. This will not affect the lawfulness of my processing or retention of your personal information prior to your withdrawing your consent.
26. Where I rely or also rely upon another lawful basis for processing your personal information, you may not be able to prevent me processing this information. For example, if I have been asked to provide legal services for you or on your behalf and I have done so you may owe me money for the legal services which I have provided which I will be entitled to claim from you.

## **Your rights**

27. Under the GDPR you have a number of rights which you can exercise in certain circumstances. I have set these out below.
28. In summary, you may have the right to:
  - 28.1. Ask for access to your personal and other supplementary information.
  - 28.2. Ask for the correction of mistakes in your personal information or to provide or complete missing information which I have retained in relation to you.
  - 28.3. Ask for your personal information to be deleted in certain circumstances.
  - 28.4. Receive a copy of the personal information which has been provided to me or have this information sent to a third party on your behalf. This information will be provided to you or to any third party in a structured, commonly used and machine readable format such as a Word document.
  - 28.5. Object at any time to my processing of your personal information for direct marketing purposes.
  - 28.6. Object in certain other situations to the continued processing or retention by me of your personal information.
  - 28.7. Restrict my processing of your personal information in certain circumstances.

29. If you want to exercise any of these rights please contact me using the contact details at the end of this privacy notice. It will help me to deal with your request promptly if you can provide me with as many details as possible about the personal information which you are requesting. For this purpose I may require you or any third party on your behalf to complete a subject access request form. This can be downloaded from my page of the website of my chambers at 1 Chancery Lane. This can be found at [www.1chancerylane.com/barristers/simon-readhead-qc](http://www.1chancerylane.com/barristers/simon-readhead-qc).
30. I may also ask for other personal information to be provided so that so I can identify you and check that the request to be provided with your personal information is genuine.
31. I will respond to any such request within 28 days from the date when I receive it or my receipt of any further information which I may ask you to provide to me to enable me to comply with your request, whichever is the later.

### **Security of personal data**

32. I store personal information both electronically and in paper form. I have taken appropriate technical and organisational precautions to secure your personal information and to prevent the loss, misuse, improper use or alteration of this information. If I retain your personal information in electronic form this will always be stored on secure data storage servers.
33. You acknowledge that the transmission of unencrypted or inadequately encrypted personal information using the internet is inherently insecure. I cannot guarantee the security of any such information sent using the internet.

### **Transfer of your information outside the European Economic Area (EEA)**

34. It is not possible for me to state whether it will be necessary to transfer your personal information outside the EEA in relation to the legal services which I have been asked to provide for you or on your behalf or in respect of any reference which you may have asked me to provide.
35. The persons or organisations with whom it may be necessary for me to share your personal information will not process your personal information or transfer this information outside the EEA without my express prior written consent. I will not give my consent without first ensuring that your personal information is adequately protected in accordance with the GDPR and any other applicable data protection legislation.

36. This may include my:

36.1. Requiring the relevant data processor to take such steps as I think are reasonably necessary to protect your personal information on an on-going basis.

36.2. Entering into additional contractual arrangements for this purpose with the relevant data processor.

37. If the legal services which I have been asked to provide for you or on your behalf or any reference which you may have asked me to provide involves persons or organisations or courts and tribunals outside the EEA then it may be necessary for me to transfer some of your personal information outside the EEA for that purpose.

38. Further, if you reside in a country outside the EEA or if the instructions to me to provide legal services for you and/or on your behalf have come from outside the EEA then it is inevitable that your personal information will be transferred to that country. In these circumstances, if you wish me to take additional precautions in respect of your personal information, you must inform me of this fact when first requesting me to provide the legal services or any reference.

39. The secure data storage servers on which I retain your personal information in electronic form may also use services outside the EEA but only if the EU-USA-Switzerland Privacy Shield scheme applies. I will not otherwise process or transfer your personal information outside the EEA except as set out above.

### **Electronic marketing**

40. If you wish to unsubscribe from any electronic marketing that you receive from me or from chambers at 1 Chancery Lane you can do so emailing [clerks@1chancerylane.com](mailto:clerks@1chancerylane.com). It may take up to one week for your request to be actioned.

### **How to make a complaint?**

41. The GDPR also gives you the right to make a complaint to the Information Commissioner's Office if you are in the UK or with the supervisory authority of the member state where you work, normally live or where the alleged infringement of data protection laws occurred. More information can be found on the Information Commissioner's Office website at [www.ico.org.uk](http://www.ico.org.uk).

### **Future processing of personal information**

42. I do not intend to process your personal information except for the reasons and upon the lawful bases stated above. If this situation changes or if I update this privacy notice I will place any revised version on my page of the website of my chambers at 1 Chancery Lane.

43. This can be found at [www.1chancerylane.com/barristers/simon-readhead-qc](http://www.1chancerylane.com/barristers/simon-readhead-qc).

44. I intend regularly to review this privacy notice.

### **Contact details**

45. If you have any questions about this privacy notice please contact me by email at [sreadhead@1chancerylane.com](mailto:sreadhead@1chancerylane.com) or by writing to me at 1 Chancery Lane, London, WC2A 1LF.

46. If a subject access request form has been downloaded and completed by you or on your behalf this should be sent to me at the addresses above.