

Privacy Notice for Nicholas Macklam

Thank you for choosing to instruct me (or considering whether to instruct me) in your case. I will need to collect and hold your personal information in order to represent you and/or to provide you with the information needed in order for you to decide whether to instruct me to represent you. I will take all possible steps to protect your personal information. I am determined to do nothing that would infringe your rights or undermine your trust. This Privacy Notice describes the information I collect about you, as a Data Subject, how it is used and shared, and your rights regarding it.

Data Controller

I am registered with the Information Commissioner's Office (ICO) as a Data Controller for the personal information that I hold and process as a barrister. My registered address is **Radcliffe Chambers, 11 New Square, Lincoln's Inn, London WC2A 3QB** and my registration number is **ZA057349**.

Data collection

The vast majority of if not all the information that I hold about you is provided to or gathered by me in the course of your case and/or proceedings. This information will not be used by me other than for the purposes set out below.

My lawful basis for processing your personal information

The General Data Protection Regulation (GDPR) requires all organisations that process personal information to have a lawful basis for doing so. The lawful bases identified in the GDPR are:

- Consent of the data subject.
- Performance of a contract with the data subject or to take steps to enter into a contract.
- Compliance with a legal obligation.
- To protect the vital interests of a data subject or another person.
- Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- The legitimate interests of myself, or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

Examples of legitimate interests include:

- Where the data subject is a client or in the service of the controller.
- Transmission within a group of undertakings for internal administrative purposes.
- Processing necessary to ensure network and information security, including preventing unauthorised access.
- Processing for direct marketing purposes, or to prevent fraud.
- Reporting possible criminal acts or threats to public security.

My primary lawful bases for processing your information are consent and performance of the contract by which I am instructed to provide legal services, but other lawful bases may be (or become) relevant. For example, in the event of a professional negligence claim, I will have a legitimate interest in providing information to my insurer.

I use your information, in accordance with applicable law, to:

- Provide legal advice and representation and other legal services.
- Assist in training pupils and mini-pupils (and other analogous persons).
- Check for conflicts of interests in relation to new or potential new instructions.
- Carry out anti-money laundering and terrorist financing checks.

- Investigate and address any concerns you may raise.
- Communicate with you about news, updates and events.
- Take or defend legal or regulatory proceedings or to exercise a lien, or as otherwise allowed by applicable law.
- Publish legal judgments and decisions of courts and tribunals.
- Promote and market my services.
- Comply with my professional or legal obligations and for reasonable purposes relating to the administration of my practice (including providing information to my insurers).
- As otherwise required or permitted by law.

I do not use automated decision-making in the processing of your personal information. I collect and process both personal information and special categories of personal information as defined in the GDPR. This includes the following:

- Name
- Email
- Phone number
- Address
- Payment or bank details
- Date of birth
- Location details
- Device IP address
- Financial information
- Medical Records
- Criminal Records
- Biographical information

I may share your personal information with:

- My instructing solicitor
- Legal representatives for other parties
- Radcliffe Chambers management and staff who provide administrative services
- Those who provide Radcliffe Chambers with services such as email, computer software, and document storage and other administrative / IT services
- Potential witnesses including expert witnesses
- My regulator, insurer and/or legal advisors in the event of a dispute or other legal matter
- Law enforcement officials, government authorities, or other third parties to the extent required by law
- A court, mediator, arbitrator, adjudicator or person in an analogous position, in the ordinary course of proceedings
- In the event of a complaint, the individuals involved in the Radcliffe Chambers Complaints Procedure, the Bar Standards Board and the Legal Ombudsman
- In the event of a data breach, the Information Commissioner's Office and the police (depending on the nature of the breach)
- Other regulatory authorities
- Any other party where consent is given to the sharing by the client (i.e. you)

And with the following (subject to any instructions given to the contrary):

- Any pupil or mini-pupil (or analogous person) within Chambers

- Other Counsel in Chambers, where they have also been instructed, or for the purposes of proof reading or obtaining a second opinion on an informal basis (and subject always to my regulatory obligation to keep clients' affairs confidential)

Transfers to third countries and international organisations

I may transfer personal information to legal representatives in third countries where those legal representatives have been instructed on the same matter as or on a matter connected with your instructions to me. The safeguards which apply are the legal and professional obligations of those legal representatives and any relevant contractual terms in the agreement by which you have instructed such legal representatives.

I am satisfied that such transferred personal information is fully protected and safeguarded as required by the General Data Protection Regulation.

Retention of personal information

I retain your personal information, as specified in my Retention and Disposal Policy (copy available on request), which details how long I hold personal information for and how I dispose of it when it no longer needs to be held. In addition, I will delete or anonymise your personal information at your request unless:

- There is an unresolved issue, such as claim or dispute;
- I am legally required to retain it (whether in non-anonymised form or not); or
- There are overriding legitimate business interests to the contrary, including but not limited to fraud prevention and protecting clients' safety and security.

Your rights

The General Data Protection Regulation gives you specific rights around your personal information. For example, you have to be informed about the personal information I hold and what I use it for, you can ask for a copy of the personal information I hold about you, you can ask me to correct any inaccuracies with the personal information I hold, you can ask me to stop sending you direct mail, or emails, or in some circumstances ask me to stop processing your details. Finally, if I do something irregular or improper with your personal information you can seek compensation for any distress you are caused or loss you have incurred. You can find out more information from the ICO's website <http://ico.org.uk/for-the-public/personal-information> and this is the organisation that you can complain to if you are unhappy with how I dealt with you.

Accessing and correcting your personal information

You may request access to, correction of, or a copy of your personal information (or to exercise any other rights you have as a Data Subject) by contacting me at **Radcliffe Chambers, 11 New Square, Lincoln's Inn, London WC2A 3QB.**

Marketing opt-outs

You may opt out of receiving emails and other messages from Radcliffe Chambers by following the instructions in those messages.

Cookies

Radcliffe Chambers' website uses cookies. These are small text files that are placed on your computer or mobile device when you visit a website. Radcliffe Chambers' website uses both "session cookies" and "persistent cookies". Session cookies allow you to move from page to page which Radcliffe Chambers' website and any information you enter to be remembered. This type of cookie is deleted when you close your browser or after a short time. Persistent cookies all Radcliffe Chambers' website to remember your preferences and settings when you visit the website in the future. Persistent cookies

expire after a prescribed period of time. Radcliffe Chambers may use Google Analytics to provide them with information about the use of Radcliffe Chambers' website, including:

- Remember user preferences and settings.
- Determine frequency of accessing our content and length of any visit.
- The requesting computer's IP address and any domain name associated with it.
- Measure the effectiveness of advertising campaigns.
- Analyse site visits and trends.

I will occasionally update my Privacy Notice. When I make significant changes, I will notify you of these through either mail or email. I will also publish the updated Privacy Notice on my website profile.

Effective from: 25/05/2018