



# PRIVACY POLICY OF:

Duncan Macpherson

Z470748X

## Privacy Policy

In order to provide legal advice and representation, I need to collect and hold personal information. This may be your personal data or information relating to other parties involved in the matter. I will take all possible steps to protect personal information. I will ensure that I do not do anything that may infringe your rights or undermine your trust. This privacy notice describes the information I collect about you, 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 data that I hold and process as a barrister. My registered address is Fenners Chambers, 3 Madingley Rd, Cambridge CB3 0EE and my ICO registration number is Z470748X. If you need to contact me about your data or this privacy notice, you can reach me at

[clerks@fennerschambers.com](mailto:clerks@fennerschambers.com)

## Data collection

The vast majority of the information that I hold about you is provided to or gathered by me in the course of your case and/or proceedings. Your solicitor and/or I will tell you why we need the information and how we will use it. On occasion I may also obtain information that is available publicly.

## What data do I process about you?

I collect and process both personal data and special categories of personal data as defined in the GDPR. This may include:

- Name
- Email address
- Phone number
- Address
- Payment or bank details
- Date of birth
- Next of kin details
- Details pertaining to education and employment
- Information on your background & current circumstances
- Financial information.

Where relevant, I may also need to process special category personal data that reveals your:

- Racial or ethnic origin
- Political opinions
- Religious and philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data for the purpose of uniquely identifying a natural person
- Data concerning health
- Sex life and sexual orientation.

On occasion, I may also process personal data relating to criminal convictions and offences.

### My lawful basis for processing your information

The General Data Protection Regulation (the GDPR) requires all organisations that process personal data to have a lawful basis for doing so. The lawful basis identified in the GDPR that I seek to rely upon are as follows:

- Consent of the data subject – where this required, I will ensure that I have your specific consent for processing your data.
- Performance of a contract with the data subject or to take steps to enter into a contract.
- Compliance with a legal obligation – to comply with various regulatory and professional obligations, e.g. filing tax returns with HMRC.
- The legitimate interests of my business 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;
- Provision of legal services and advice;
- Processing is necessary to ensure network and information security, including preventing unauthorised access;
- For purposes of practice management, accounting and debt recovery;
- For completion of professional regulatory requirements;
- Processing for direct marketing purposes, or to prevent fraud; and
- Reporting threats to public security.

### Special category processing

I process special category data when:

- 1 I have your explicit consent to do so; or
- 2 It is necessary for the exercise or defence of legal claims or judicial acts.



## Criminal data processing

On occasion, I process data relating to criminal offences where it is necessary for:

- The purpose of, or in connection with, any legal proceedings;
- The purpose of obtaining legal advice; or
- The purposes of establishing, exercising or defending legal rights.

I use your information to:

- Provide legal advice and representation;
- Assist in training pupils and mini pupils;
- Investigate and address your concerns;
- Communicate with you about news, updates and events;
- Investigate or address legal proceedings relating to your use of my services, or as otherwise allowed by applicable law;
- Make statutory returns as required by law;
- Assist in any tendering or panel membership applications;
- Assist in any other applications for the purpose of professional development or career progression;
- Communicate legal updates and judgments to other legal professionals;
- For marketing purposes.

I may share your personal data with:

- Instructing solicitors or other lawyers involved in your case;
- A pupil or mini pupil, under my training;
- Opposing counsel, for the purposes of resolving the case;
- My chambers management and staff who provide administrative services;
- My regulator or legal advisors in the event of a dispute or other legal matter;
- Law enforcement officials, government authorities, or other third parties to meet any legal obligations;
- Legal directories, for the purpose of professional development;
- Any relevant panel or tendering committee, for the purpose of professional development;
- Accountants and banking officials;
- Regulators or arbitrators, where complaints or disputes arise;
- Any other party where I ask you for consent, and you consent, to the sharing.

## Transfers to third countries and international organisations

I do not transfer any personal data to third countries or international organisations.

I retain your personal data while you remain a client unless you ask me to delete it. My Retention and Disposal Policy (copy available on request) details how long I hold data for and how I dispose of it when it no longer needs to be held. I will delete or anonymise your information at your request unless:



- There is an unresolved issue, such as a claim or dispute;
- I am legally required to; or
- There are overriding legitimate business interests to do so.

## Your rights

The GDPR gives you specific rights in terms of your personal data. For example, you have to be informed about the 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 data I hold, and 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 data, you can seek compensation for any distress you are caused or loss you have incurred.

## Further information

You can find out more information from the ICO's website:

[http://ico.org.uk/for\\_the\\_public/personal\\_information](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 have dealt with your query.

## Accessing and correcting your information

You may request access to, correction of, or a copy of your information by contacting me at [clerks@fennerschambers.com](mailto:clerks@fennerschambers.com)

I will occasionally update my Privacy Notice. When I make significant changes, I will notify you of these by publishing the latest version on my web profile at

[https://fennerschambers.com/duncan\\_macpherson/](https://fennerschambers.com/duncan_macpherson/)