



## **PRIVACY NOTICE (PUPILLAGE AND TENANCY)**

1. This Privacy Notice sets out how the members of Wilberforce Chambers will process the personal data of applicants for tenancy, door tenancy, pupillage and mini-pupillage, including any continued processing during the time spent in Chambers as a tenant, pupil or mini-pupil. This notice also covers any other form of work shadowing where it relates to one of our members.
2. Given the structure of Wilberforce Chambers, all members of Chambers are potential data controllers in this respect for the purposes of the General Data Protection Regulation and Data Protection Act 2018. A full list of our members is available on the website.

### **What is personal data and what are special categories of personal data?**

3. Personal data means any information relating to a person who can be identified either directly or indirectly. It may include name, address, email address, telephone number, banking information, IP address, location data and photographs ("Personal Data").
4. The GDPR and the DPA define certain types of sensitive data as "Special Categories of Personal Data". This is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.
5. The GDPR also imposes additional conditions in respect of data that relates to criminal convictions and offences.

### **The purpose of the processing**

6. We will only process your data, in accordance with applicable law, for the following purposes:
  - (i) To consider, sift and process an application;
  - (ii) To assess performance, for example at interview; to take a reference; and to take other reasonable steps required to make a final decision on an application;
  - (iii) To make formal offers of tenancy, pupillage or mini-pupillage or to agree to a work shadowing placement;
  - (iv) To make reasonable adjustments where any medical or health conditions apply;
  - (v) To collect anonymised diversity data in line with our regulatory obligation to publish such data for statistical purposes;
  - (vi) To process the payment of the Pupillage Award;
  - (vii) To process the one-off payment to mini-pupils in relation to travel and subsistence costs;
  - (viii) To make or defend complaints;
  - (ix) As otherwise required or permitted by law.

### **The lawful basis of the processing**

7. We will rely on the following legal grounds for the processing of the Personal Data received:

- Our legitimate business interests in enabling us to consider, process and make a final assessment on your application (for example, in relation to general application data).
- Reasons of substantial public interest, in particular on grounds of equality of opportunity or treatment (for example, in relation to the diversity data that is collected from you to the extent that it falls into the Special Categories of Personal Data).
- Compliance with a legal obligation to which we are subject (for example, to confirm an applicant's right to work in the UK).

#### **Potential recipients or categories of recipients of the personal data**

8. Others who could receive your personal data may include:
- (i) The staff employed by Wilberforce Chambers: in particular the Chambers' Directors, the Head Clerk, the PA to the Directors (who administers HR information), the Pupillage Secretary and the Financial Administrator;
  - (ii) The Bar Standards Board and the Bar Council;
  - (iii) The Pupillage Gateway service (for Pupillage applications only);
  - (iv) Other pupils and mini-pupils;
  - (v) Third parties when providing references;
  - (vi) Third parties when attending events, such as event management companies and hotel staff.

#### **The period for which your personal data will be stored**

9. We will retain Personal Data in relation to applications for Tenancy and Pupillage for three years for document files and two years for emails. Thereafter, the Personal Data will be securely deleted. Exceptions to this are:
- (i) Where an applicant becomes a tenant or a door tenant the Personal Data will be retained for the duration of the membership, for HR reasons;
  - (ii) Financial details such as Pupillage Awards, mini-pupil payments and loans to tenants in their first year of practice will be retained on our accounts system for six years for compliance reasons.
10. Please see the Wilberforce Chambers Data Retention and Destruction Policy for more details on applicable retention periods. This policy will be subject to periodic review.

#### **Your rights as a data subject**

11. As a Data Subject, you have various rights in relation to the Personal Data that I will process.
- You have the right to apply for a copy of the Personal Data that we hold on you. This is known as a **data subject access request**. You can make a request in writing using the contact information given below. Please note that any such request may be subject to reasonable further verification of your identity.
  - You have the right to correct any inaccurate and/or Personal Data we hold (known as the **right to rectification**).
  - You have the right to remove any Personal Data that you feel is no longer required or up-to-date (known as the **right to erasure**).
  - You have the right, in certain circumstances, to receive or have transmitted to a third party the Personal Data I hold in a structured commonly used and machine-readable format (known as the **right to data portability**).

## **Complaints**

12. We suggest that you contact Chambers in the first instance with any questions or if you have a complaint in relation to how we process your Personal Data. However, you do have the right to contact the relevant supervisory authority directly. To contact the Information Commissioner's Office in the United Kingdom, please visit the [ICO website](#) for instructions.

## **Transferring Personal Data outside of EEA**

13. It is unlikely that your Personal Data will be the subject of a transfer to a third party in countries outside of the country in which it was originally collected for further processing. However, if this is the case, we will ensure that your privacy rights are adequately protected by appropriate technical, organisation, contractual or other lawful means.

## **Contact details**

14. If you have any questions about this privacy notice please feel free to contact the members of staff responsible for data protection in Chambers at [gdpr@wilberforce.co.uk](mailto:gdpr@wilberforce.co.uk).