



## **PRIVACY POLICY FOR**

## **JONATHAN POLNAY KC**

### **A. Introduction**

1. I am committed to protecting and respecting your privacy. In this privacy policy I explain my approach to your personal data and your rights in relation to it in accordance with the General Data Protection Regulation ('GDPR').
2. 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 the Chambers of Sarah Forshaw KC & Mark Heywood KC, 5 King's Bench Walk, Temple, London EC4Y 7DN (my 'Chambers').
3. If you would like to contact me about this policy, including if you wish to receive further information about any aspect of it, you can contact me at the address above or via my Chambers Administrator, Ms Nicki Crew, at [nicki@5kbw.co.uk](mailto:nicki@5kbw.co.uk).
4. I may review and update this policy from time to time by publishing a new version on my Chambers' website at [www.5kbw.co.uk](http://www.5kbw.co.uk).

### **B. Data collection**

5. The vast majority of the personal data that I collect is for the purpose of enabling me to provide legal services to my clients and is provided to me by or on behalf of my clients and by other parties involved in my clients' cases.
6. One way in which my Chambers' website collects personal information is by the use of 'cookies'. They are small text files placed in the memory of a browser or device upon visiting the website, which allow the website to recognise a particular browser or

device. My Chambers' website uses a Google Analytics cookie to analyse our website traffic, and a Twitter cookie so that visitors to the website can easily follow our tweets.

### **C. Data processed**

7. I process personal data of many types, which may include:
  - a. Personal details, including contact details
  - b. Family details
  - c. Financial details
  - d. Business details
  - e. Education and employment details
  - f. Background and current circumstances
  
8. I process special category personal data as defined in the GDPR, which may include information as to:
  - a. Health
  - b. Racial or ethnic origin
  - c. Sex life and sexual orientation
  - d. Genetic data
  - e. Biometric data for the purpose of uniquely identifying a natural person
  - f. Political opinions
  - g. Religious beliefs
  - h. Philosophical beliefs
  - i. Trade union membership
  
9. I process personal data relating to criminal convictions and offences.

#### **D. Lawful basis for processing**

10. The GDPR requires data controllers, including myself, to have a lawful basis for processing personal data. I set out below the lawful bases which may apply to personal data I process.

- a. Contractual necessity: I may process personal data on the basis that it is necessary to enable me to fulfil my contractual duties to you or to take steps to enter into a contract with you.
- b. Legitimate interests: I may process personal data for the legitimate interests of my business or a third party, which may include:
  - i. Providing legal services including advice and representation
  - ii. Practice management and development
  - iii. Accounting, fee collection and debt recovery
  - iv. Assessing and improving my services
  - v. Providing training
  - vi. Network and information security, including preventing unauthorised access
  - vii. Dealing with concerns or complaints, including any legal and/or regulatory action
  - viii. Marketing
  - ix. Preventing fraud and reporting threats to public security
- c. Compliance with legal obligations, which may include:
  - i. Making statutory returns to HMRC
  - ii. Complying with professional and regulatory obligations
- d. Performance of a task carried out in the public interest, namely processing of personal data necessary for the administration of justice.

- e. Your consent.
11. In relation to special category personal data, my processing may be necessary:
- a. For the establishment, exercise or defence of legal claims
  - b. For reasons of substantial public interest
  - c. For the administration of justice
12. In relation to personal data relating to criminal convictions and offences, my processing may be necessary:
- a. For the purpose of, or in connection with, any legal proceedings, including prospective legal proceedings
  - b. For the purpose of establishing, exercising or defending legal rights
  - c. For the purpose of obtaining legal advice

**E. Data sharing**

13. Subject to my professional obligations of confidentiality and legal professional privilege, I may share personal data with others who may include:
- a. Instructing solicitors and legal representatives with whom I am working
  - b. Opposing legal representatives, witnesses, experts, judges and court staff
  - c. Pupils and mini-pupils
  - d. Staff and third parties providing services for the administration Chambers
  - e. Legal directories and panel committees for the purpose of professional development
  - f. My accountants and banks
  - g. My regulator and/or legal advisors in the event of a dispute or other legal matter
  - h. Law enforcement officials, government authorities or other third parties to meet my legal obligations

i. Any other party with your consent

14. I may transfer personal data to a location outside the European Economic Area (for example, to a secure server), if I consider it necessary or desirable for the purposes set out in this notice and I am satisfied that adequate safeguards are in place as required by the GDPR.

#### **F. Data retention and disposal**

15. I retain personal information for as long as I need it, which in most cases will be a minimum of seven years. When personal information is no longer needed, I dispose of it securely.

#### **G. Your rights**

16. The GDPR gives you specific rights in terms of your personal data. For example, you have the right to be informed about the collection and use of your personal data; you can ask for a copy of the personal data I hold about you; you can ask me to correct any inaccuracies in the personal data I hold about you; you can ask me to stop sending you direct mail or emails, including marketing messages; and in some circumstances you can ask me to stop processing your personal data. 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.

17. Further information about your rights is available from the ICO website at <https://ico.org.uk>. Please contact me using the details in section A of this notice if you would like to exercise any of these rights.

18. I hope that you will be satisfied with the way in which I approach and use your personal data. Should you find it necessary, you have a right to raise a concern with or make a complaint to the ICO. However, I hope that if you have a concern about the way I handle your personal data, you will contact me in the first instance so that I have the opportunity to resolve it.