

Privacy Notice – Information about your data

I collect, use and am responsible for personal information about those involved in disputes which may include you. When I do this, I am the Data Controller of this information for the purposes of the General Data Protection Regulation and other applicable data protection laws (Data Protection Legislation).

I am committed to treating your information in line with the principles of Data Protection Legislation, including being transparent with you on all aspects of your data and safeguarding it while I am processing it. Please read the following information carefully. This privacy notice contains information about what data I collect and store about you and why. It also tells you who I share this information with, the security mechanisms I have put in place to protect your data and how to contact me if you have a complaint.

I may be appointed to act alongside other people, such as an independent expert or assessor. In these cases the other people appointed in the same matter will be acting as joint data controllers and we will be jointly and separately responsible for our responsibilities as a data controller under GDPR.

Please be aware that Barristers from Keating Chambers can be appointed to represent a party in a matter where another member of Keating Chambers is appointed as adjudicator. In these cases we will be Data Controllers for our own engagement relating to the same matter and will act independently of any others appointed.

Information collected by me

When appointed, I may collect the following personal information that you or your representatives provide to me by email, post or any other method:

- Name, Job Title and Signature;
- Contact Information including home or business address, telephone number, date of birth and email address;
- Financial details;
- Details of goods and services provided;
- Details of the dispute and information provided in relation to the dispute, which may include personal data;
- A record of any correspondence;
- Some sensitive personal information (Special Categories under GDPR, as identified below).

Information collected from other sources

I may also collect the information set out above from other sources, such as other legal professionals or experts, members of the public, your family and friends, witnesses, courts and other tribunals, investigators, other parties to a dispute, government departments, regulators, public records and registers.

Special Categories of Personal Data

If the nature of the case requires it, I may collect special categories of personal data including:

- Health information
- Racial or ethnic origin

- Political opinions
- Religious, philosophical or other beliefs
- Trade union membership
- Sex life or sexual orientation

Under Data Protection Legislation when this information is provided, my legal basis for processing it will be that the data subject has given explicit consent, or that it relates to the matter on which I have been appointed.

How I use your personal information

I may use your personal information for the following purposes:

- To provide adjudication services and any other services under contract;
- To share with any independent expert or assessor appointed in respect of the dispute;
- To provide reports to and otherwise communicate with nominating institutions or bodies under whose auspices the adjudication is carried out;
- To keep accounting and records and carry out administration required;
- To respond to, and manage, potential complaints and claims, including within Keating Chambers and with my insurers;
- To carry out required checks and due-diligence required under law;
- To train other barristers or adjudicators and to provide adjudication observation and work experience opportunities;
- To provide evidence of the legal services I provide to legal directories;
- For the establishment, exercise or defence of legal claims;
- To enable the clerks, management, reception and administration within Keating Chambers to assist me with my legal practice and to fulfil my legal obligations;
- To enable me to make applications for appointments or to give references in connection with appointment applications.

Who will I share your personal information with?

If you are a party to a dispute, some of the information you provide will be protected by legal professional privilege unless and until the information becomes public in the course of any proceedings or otherwise. As an adjudicator I have an obligation to keep your information confidential, except where it otherwise becomes public or is disclosed as part of the case or proceedings.

I will share information with Keating Chambers (including clerks, management, reception and administration) and other third parties who act as Data Processors to assist me to act as adjudicator, delivering legal services to you and your representatives, and to fulfil my legal obligations.

I may have relationships with other third parties that I may share data with relating to your adjudication. I may share your name, address, date of birth and case information. This data sharing enables me to carry out contractual and legal obligations in order to fulfil my obligations and conduct administrative support. For a list of these third parties please contact me.

If an independent review is needed into an aspect of the services I provide, such as a complaint or claim, I may need to share this information with Barristers at Keating Chambers, management in Keating Chambers and external bodies including the Bar Standards Board, the Legal Ombudsman and my insurers.

I will share personal information with law enforcement agencies if required by any applicable law. I may also need to share your data with regulatory bodies, such as the Bar Council and the Bar Standards Board.

Reasons I collect and use your personal information

Under GDPR I need to have a lawful basis to process your data. I have listed at 1-4 below the lawful bases, any or all of which I may use to process your data for the purposes set out above.

1. Consent

If I wish to provide aspects of the matter to a legal directory agency, such as the Legal 500, I will ask for your consent to do so.

If I am processing special categories of personal data for a reason not relating to the establishment, exercise or defence of legal claims I may need your explicit consent to do so.

You always have the right to withdraw your consent at any time. If you wish to withdraw your consent then please contact me using the information contained in the covering letter or by contacting one of the clerks at Keating Chambers.

2. Legal Contract

I will rely on performance of a legal contract, or the entering into a legal contract, when I am appointed as adjudicator.

3. Legal Obligation

Processing is necessary for compliance with a legal obligation to which I am subject.

I will maintain adequate records of any financial transactions for a period of 7 years that can be audited by HMRC.

I will retain information required to comply with legal obligations that I am subject to, including conducting anti-money laundering checks where necessary.

I will obtain or provide information to process judgments or other decisions of courts or tribunals as necessary.

I will fulfil any obligations which I may have either as a Pupil Supervisor or otherwise in connection with the training of Pupils (trainee Barristers).

4. Legitimate Interest

Processing is necessary for the purposes of the legitimate interest pursued by me or by a third party for the purposes set out above.

Although I either confidentially destroy or return papers to those who instruct me following the conclusion of my retainer, I may maintain records of matters for a period of up to 15 years or 1 year after the expiry of any relevant limitation period (whichever is longer) so that I can respond to, and

manage, potential complaints and claims which may be made against me. In the event of a complaint or claim, I may retain records for longer, until the complaint or claim has reached a conclusion.

I have a legitimate interest in inviting you to certain events and hospitality functions or if I send you publications or announcements or information relating to my additional services or updates from Keating Chambers. My legitimate interest is the development of my professional network, and the benefit of my professional and client contacts. You will be able to opt-out of these communications easily.

I will use case papers, case information and work product for reference, precedent, for the training of Pupils and for the provision of work experience.

I will use appropriate case information (anonymised as necessary) for the purposes of updating my CV and other such personal promotional material.

How long will I store your personal data?

I hold data securely and in line with any regulatory obligations.

Throughout the duration of the dispute personal and sensitive data is taken and is required to ensure that all information is correct, so I can fulfil my legal obligations in a timely and lawful manner. Any documentation, requests, evidence and associated notes or telephone recordings will be appropriately stored, with access restricted on a need to know basis.

Your information may be kept for up to 15 years or 1 year after the expiry of any relevant limitation period or until the conclusion of a complaint or claim (whichever is longer).

For the remainder of my professional career, I may retain work product (such as decisions and procedural orders) and such information as is necessary to enable me to carry out conflict checks.

Further or different retention will be kept under review. I may provide for a different retention policy in my Terms of Appointment.

Your Rights*

Under the General Data Protection Regulation, you have a number of important rights that you can exercise free of charge. In summary, these rights are:

- Transparency over how I use your personal data and fair processing of your information;
- Access to your personal information and other supplementary information;
- Require me to correct any mistakes or complete missing information I hold on you;
- Require me to erase your personal information in certain circumstances;
- Receive a copy of the personal information you have provided to me or have this information be sent to a third party. This will be provided to you or the third party in a structured, commonly used and machine-readable format;
- Object at any time to processing of your personal information for direct marketing;
- Object in certain other situations to the continued processing of your personal information;
- Restrict my processing of your personal information in certain circumstances;
- Request not to be subject to automated decision making which produces legal effects that concern you or affect you in a significantly similar way.

Any requests can only be responded to in accordance with my and your obligations of confidentiality and legal professional privilege.

If you want more information about your rights under the GDPR please see the Guidance from the Information Commissioner's Office on [Individual's rights under the GDPR](#).

If you want to exercise any of these rights, please:

- Email, call or write to me (see details contained in the covering letter)
- Let me have proof of your identity and address (I may need to contact you to request further information to verify your identity);
- State the right or rights that you wish to exercise.

I will respond to you within one month from when I receive your request.

How to make a complaint*

If you have any concerns with the service I provide, then please contact me (using the contact details in the covering letter) or the Head of Chambers at Keating Chambers (contact details below) and I will work with you to resolve any issues or complaints that arise.

The General Data Protection Regulation also gives you the right to lodge a complaint with a supervisory authority. The UK supervisory authority is the Information Commissioner's Office who can be contacted at <https://ico.org.uk/concerns/>. Should you be unhappy with the arrangements for handling your data set out in this notice, please contact me.

Security

I take information security seriously and want to ensure you and your client are aware of what procedures and processes I have in place to support this.

- My IT systems are managed by Keating Chambers and are subject to a processor agreement to ensure the confidentiality of your data. Keating Chambers have undergone a risk assessment and mitigation process to help safeguard any of your data held on my IT systems.
- I and/or Keating Chambers have Third Party agreements in place which clearly define how any data I provide to them is processed in accordance with this policy.
- I and/or Keating Chambers conduct reviews of policies and data on an annual basis to ensure that no data is kept for longer than is necessary and the relevant retention periods are adhered to.
- I will complete regular training on the GDPR and Information Security as appropriate.

Future Processing

I do not intend to process your personal information for any reason other than stated within this privacy notice.

Changes to this privacy notice

This privacy notice was published in October 2020. Privacy practices may change this policy from time to time. When I do, I will publish the new policy on the Keating Chambers' website.

Contact me*

If you have any questions about this privacy notice, or the information I hold about you, please contact me directly and I will happily discuss this with you.

The best way to contact me is either by the contact details shown on the covering letter or at Chambers:

Address: Keating Chambers, 15 Essex Street, London, WC2R 3AA

Email: clerks@keatingchambers.com

Phone: 020 7544 2600

Web: www.keatingchambers.com

***General Note**

Following the adjudicator's appointment, any communications between you and the adjudicator should be copied to the other party to the dispute.