



## **Privacy Notice for Jane Foulser McFarlane**

Thank you for choosing to instruct me in your case. I will need to collect and hold your personal information in order 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, 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 30 Park Place, Cardiff CF10 3BS and my registration number is Z4892044

### **Data Collection**

The vast majority of the information that I hold about you is provided to or gathered by us 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.

### **Our Lawful Basis for processing your information**

The General Data Protection Regulation (GDPR) requires all organisations that process personal data 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 ourselves, 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;



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- processing necessary to ensure network and information security, including preventing unauthorised access;
- processing for direct marketing purposes, or to prevent fraud; and
- reporting possible criminal acts or threats to public security.

My/our Lawful Bases and our Legitimate Interests will include any or all of the above, in any given case.

In particular, the Lawful Bases permitted in the GDPR upon which I process your information are (but are not limited to):

- your consent;
- performance of a contract with you or to take steps to enter into a contract;
- compliance with a legal obligation e.g. anti-money laundering, Legal Services Regulation or the Bar Code of Conduct;
- to protect your vital interests in connection with the matters about which you have asked me to provides services to you;
- my legitimate interests, to the extent that they are not overridden by your interests, rights or freedoms.

My legitimate interests include (but are not limited to):

- matters connected to you being a client;
- transmission between myself and Chambers, or between myself and other members when consent is given to transmission;
- processing necessary to ensure network and information security, including preventing unauthorised access;
- processing for direct marketing purposes, or to prevent fraud; and
- reporting possible criminal acts or threats to public security.

I do not use automated decision-making in the processing of your personal data.

**I use your information to:**

- provide legal advice, representation and related services to you;
- process or support payments for services;



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- direct your enquiries to the appropriate member of chambers or member of staff;
- communicate with about services;
- assist in training pupils and mini-pupils;
- investigate and address your concerns;
- investigate or address legal proceedings relating to your use of my services/products, or as otherwise allowed by applicable law;
- make statutory returns as required by HMRC.

I do not use automated decision-making in the processing of your personal data.

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

#### **Client data**

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

#### **I may share your personal data with:**

- companies, professional advisers and persons appointed or engaged by you in respect of the same matter that I am appointed or engaged by you, such as (but not limited to) instructing solicitors;
- pupils or mini pupils under my training or supervision;
- opposing Counsel, for the purposes of resolving the case;
- my Chambers management and staff who provide administrative services;



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- 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 our legal obligations;
- any other party where I ask you 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:

- the lawful basis for collecting your data is continuing;
- there is an unresolved issue, such as claim or dispute;
- I am legally required to; or
- there are overriding legitimate business interests, including but not limited to fraud prevention and protecting customers' safety and security.

### **Your Rights**

The General Data Protection Regulation gives you specific rights around 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 us to correct any inaccuracies with the personal data I hold, you can ask us to stop sending you direct mail, or emails, or in some circumstances ask us 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. 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 dealt with you.

### **Accessing and Correcting Your Information**

You may request access to, correction of, or a copy of your information by contacting me at 30 Park Place, Cardiff CF10 3BS.



### **Marketing Opt-Outs**

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

### **Cookies**

Cookies are small text files that are stored on your browser or device by websites, apps, online media, and advertisements. The Chambers website use cookies to:

- Validate users;
- Remember user preferences and settings;
- Determine frequency of accessing our content;
- Measure the effectiveness of advertising campaigns; and
- 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 Notice on Chambers' website.