

## Privacy Notice

### Introduction

Three New Square Intellectual Property (“3NS IP”) is a set of barristers’ chambers that practises intellectual property law.

Individual barrister members of chambers (“Barristers”) are self-employed practitioners.

In addition, 3NS IP operates a service company, Three New Square IP Services Limited (“the Company”), to perform various functions for and on behalf of members of chambers and to deal with administrative tasks.

This privacy notice relates to the data protection obligations of the individual Barristers of 3NS IP and the Company (collectively “Chambers”).

Please read the following information carefully. This privacy notice explains various aspects of how Chambers processes personal data and contains information about your rights.

Depending on the context, the data controller may be an individual Barrister or the Company.

Two sources of law referred to below are the General Data Protection Regulation 2016 (“GDPR”) and the Data Protection Act 2018 (“DPA 2018”).

If you need to contact Chambers about your information or the processing carried out you can use the contact details at the end of this notice.

### Information you provide

Barristers and/or the Company may collect personal information that you provide, including:

- a. personal details
- b. family details
- c. lifestyle and social circumstances
- d. goods and services
- e. financial details
- f. education, training and employment details
- g. physical or mental health details
- h. racial or ethnic origin
- i. political opinions
- j. religious, philosophical or other beliefs
- k. trade union membership
- l. sex life or sexual orientation
- m. genetic information
- n. biometric information for the purpose of uniquely identifying a natural person
- o. criminal proceedings, outcomes and sentences, or related security measures
- p. other personal information relevant to instructions to provide legal services, including information specific to the instructions in question or relevant to the post applied for.

### **Information collected from other sources**

The same categories of information may also be obtained from third parties such as members of Chambers, experts, members of the public, your family and friends, witnesses, courts and other tribunals, suppliers of goods and services, investigators, government departments, regulators, public records and registers.

### **How Chambers uses your personal information: Purposes**

Barristers may use your personal information for the following purposes:

- i. to provide legal services to their professional and lay clients and/or in a judicial capacity, including the provision of legal advice and representation in courts, tribunals, arbitrations, and mediations
- ii. to keep accounting records and carry out office administration
- iii. to take or defend legal or regulatory proceedings or to exercise a lien
- iv. to respond to potential complaints or make complaints
- v. to check for potential conflicts of interest, including in relation to future potential cases
- vi. to promote and market their services
- vii. to carry out anti-money laundering and terrorist financing checks
- viii. to train other barristers and when providing pupillage, mini-pupillage or other work-experience opportunities
- ix. to respond to requests for references
- x. when procuring goods and services
- xi. to publish legal judgments and decisions of courts and tribunals
- xii. to conduct their individual professional practices
- xiii. as required or permitted by law.

The Company may use your personal information for the following purposes:

- i. to promote and market the services of 3NS IP
- ii. to assist members of chambers in: the conduct of their professional practices and/or the provision of legal services and/or their judicial capacity and/or any of the matters listed in respect of the list of purposes for Barristers in points i-xiii above
- iii. to train barristers
- iv. to provide work experience (including mini-pupillage)
- v. to recruit and train staff and pupils
- vi. to assess applications for tenancy, pupillage, mini-pupillage and work-shadowing opportunities
- vii. to fulfil equality and diversity and other regulatory requirements
- viii. to procure goods and services
- ix. to manage chambers and to provide services to 3NS IP
- x. to allocate work and to check for potential conflicts of interest, including in relation to future potential cases
- xi. to manage matters relating to employment of Chambers' staff, including payroll and pensions
- xii. to maintain Chambers' accounts and financial and other records
- xiii. to respond to requests for references
- xiv. to publish legal judgments and decisions of courts and tribunals
- xv. to deal with, respond to complaints and/or potential complaints or make complaints
- xvi. to carry out anti-money laundering and terrorist financing checks
- xvii. to deal with the administration of 3NS IP
- xviii. as otherwise required or permitted by law.

## Marketing and promotion

In relation to personal information collected for marketing purposes, the personal information consists of:

- names, contact details, and name of organisation
- the nature of your interest in Chambers' marketing
- your attendance at Chambers events.

This will be processed so that you can be provided with information about Chambers and the Barristers/Mediators/Arbitrators and to invite you to events.

You may contact Chambers using the contact details at the end of this document if you no longer wish to receive such invitations or information.

### **Whether information has to be provided by you, and why**

If a Barrister has been instructed by you or on your behalf on a case or if you have asked for a reference, your personal information has to be provided, to enable the Barrister to provide you with advice or representation or the reference, and to enable them to comply with their professional obligations, and to keep accounting records.

If you apply to Chambers for a position or are seeking a reference or are a member of staff your personal information has to be provided to Chambers, so that your application/reference can be properly assessed/your employment records, pay and pensions can be administered and to enable Chambers to comply with its regulatory obligations, and to keep accounting records.

If you are offering or providing Chambers with goods or services your information may be processed in relation to such offers or contracts.

### **The legal basis for processing your personal information**

The lawful bases on which Barristers process your personal information include:

- Barristers may process your information to the extent to which you have consented to them doing so.
- Barristers may process your information where necessary for the performance of a contract (such as, by way of example, a contract for legal services) or in order to take steps at your request prior to entering into a contract.
- Barristers may process your information where the processing is necessary for legal proceedings, legal advice, or otherwise for establishing, exercising or defending legal rights.
- Barristers also rely on their legitimate interest and/or the legitimate interests of a third party in carrying out the processing for the Purposes set out above.
- Processing may be necessary in order that Barristers can comply with a legal obligation to which they are subject (including carrying out anti-money laundering or terrorist financing checks).
- Processing may occur where there is a public interest, including in the administration of justice.

- Barristers also rely on processing that is necessary to prevent or detect unlawful acts where it is in the substantial public interest and it must be carried out without consent so as not to prejudice those purposes.
- Barristers also rely on processing that is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between members of staff, tenants, pupils and mini-pupils with a view to enabling such equality to be promoted or maintained.
- Barristers also rely on instances where personal data is manifestly made public by you.
- The processing is necessary to publish judgments or other decisions of courts or tribunals.

The lawful bases on which the Company processes your personal information include:

- The Company may process your information to the extent to which you have consented to them doing so.
- The Company may process your information where necessary for the performance of a contract (such as, by way of example, a contract for legal services) or in order to take steps at your request prior to entering into a contract.
- The Company may process your information where the processing is necessary for legal proceedings, legal advice, or otherwise for the establishment, exercise or defence of legal rights.
- The Company also relies on its legitimate interests and/or the legitimate interests of a third party in carrying out the processing for the Purposes set out above.
- The Company also relies on processing that is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the Company or you in connection with employment, social security or social protection.
- The Company also relies on processing that is necessary for the assessment of your working capacity or health or social care purposes.
- The Company also relies on processing that is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between members of staff, tenants, pupils and mini-pupils with a view to enabling such equality to be promoted or maintained.
- The Company also relies on processing that is necessary to prevent or detect unlawful acts where it is in the substantial public interest and it must be carried out without consent so as not to prejudice those purposes.
- Processing may occur where there is a public interest, including in the administration of justice.
- The Company also relies on instances where personal data is manifestly made public by you.
- Processing may be necessary in order that the Company can comply with a legal obligation to which it is subject (including carrying out anti-money laundering or terrorist financing checks).

### **Your Rights**

Under the GDPR and DPA 2018, you have a number of rights that you can exercise in certain circumstances. Among other things, you may have the right to:

- Ask the Barrister or Company for access to your personal information that is held by them;
- Ask the Barrister or Company for your personal information held by them to be erased;

- Ask for personal information that you have provided to the Barrister or Company to be provided to you in a structured, commonly used and machine-readable format, and you can transmit that data to another data controller;
- Object to the processing of your personal information by the Barrister or Company;
- Ask the Barrister or Company to restrict their processing of your personal information.

The GDPR and DPA 2018 set out in detail various conditions for the exercise of these rights and as well as various limitations and exemptions (such as, for example, where legal professional privilege applies).

Further guidance about your rights under the GDPR and DPA 2018 can be found on the website of the Information Commissioners Office.

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

- Use the contact details at the end of this document;
- Make it clear who you are seeking to exercise your rights against: if it is individual Barristers, please name them and/or if it is the Company please say so;
- Chambers may need to ask you to provide other information so that you can be identified;
- Please provide a contact address so that you can be contacted to request further information to verify your identity;
- Provide proof of your identity and address;
- State the right or rights that you wish to exercise.

### **Marketing Emails**

Please note if you wish to unsubscribe from any marketing emails, you can do so by contacting chambers using the contact details below.

### **How to make a complaint**

You have the right to lodge a complaint with the Information Commissioners' Office about the processing of your data by Barristers and/or the Company. The contact details for the Information Commissioner can be found on their website at:

[www.ico.org.uk](http://www.ico.org.uk)

### **Changes to this privacy notice**

This privacy notice was published in June 2019.

Chambers reviews its privacy practices from time to time and may change this policy. Amended privacy notices may therefore be placed on the Chambers' website from time to time.

### **Contact Details**

If you have any questions about this privacy notice or the information Chambers holds about you, please contact Chambers using the contact details below. Individual Barristers and the Company can be contacted at:

#### Address

3 New Square IP, 3 New Square, Lincoln's Inn, London. WC2A 3RS.

Telephone

+44 (0)20 7405 1111

Email

[clerks@3newsquare.co.uk](mailto:clerks@3newsquare.co.uk)

DX Number

LDE 454