

Privacy Notice of Benjamin Bundock

Last updated May 2023

If I am instructed in your case, I will need to collect and hold your personal information in order to represent you. If you are not my client, I may otherwise come into possession of, and use, your personal data. I will take all reasonable steps to protect your personal information. I will do all that I reasonably can to ensure I do not infringe your rights.

This Privacy Notice explains the type of information I may hold about you, the basis on which I would hold and use it, and your rights in relation to it.

My details

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 One Pump Court Chambers, Elm Court, Temple, London EC4Y 7AH, and my registration number is ZA048689.

What personal data might I collect and process?

If you instruct me on your case, the majority of the information I hold about you will be provided to me by you, either directly or via your solicitor, when you seek to use my services.

The data I hold may include the following: name; email; phone number; address; payment or bank details; date of birth; location details; financial information; medical records; employment records; criminal records; other information provided to government bodies or your solicitor.

Why would I collect and process your data?

I would collect and process your data for the following purposes: to enable me to provide legal services as a barrister, providing advice and representation to the highest standard that I can; to efficiently and professionally manage my practice as a barrister; to investigate and address any concerns or complaints you may have, or disputes that may arise; and to assist in training pupils and mini-pupils.

What is my basis for collecting and processing your data?

The General Data Protection Regulation (GDPR) requires me to have a 'lawful basis' for processing your personal data in general. These are defined by the GDPR as including:

- Consent of the 'data subject', i.e. you.
- Performance of a contract with the data subject.
- Taking steps requested by the data subject, before entering a contract.
- Compliance with a legal obligation I am subject to.
- To protect the 'vital interests' of the data subject or another person.
- Performance of a task carried out in the public interest or in the exercise of official authority vested in me.
- Legitimate interests pursued by me, or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

Usually, there will be a number of 'lawful bases' for me processing your data: performance of a contract with you; compliance with a legal obligation; my legitimate interests (namely the provision of legal or related services to the highest standard that I can; use for the purpose of legal proceedings; use for the handling of complaints or claims; or for training pupils); or your consent.

Where the data I hold is in a 'special category', I must have an additional lawful basis for processing it. The GDPR identifies special categories of data as being information which reveals a person's racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs, or trade union membership; data relating to health or about sex life or sexual orientation; and biometric data. As relevant, the GDPR defines the additional lawful bases for processing this kind of data as:

- Explicit consent of the data subject.
- Where processing is necessary to protect the 'vital interests' of the data subject or another person, where the data subject is incapable of giving consent.
- Where the data has 'manifestly' been made public by the data subject.
- Where processing is necessary for the establishment, exercise or defence of legal claims. This includes where the processing is necessary: for the purpose of or in connection with legal proceedings, including prospective legal proceedings; for the purpose of obtaining advice; or for establishing exercising or defending legal rights.

When I process 'special category' personal data, the additional lawful basis will usually be one of the following: processing the data is necessary for the establishment, exercise or defence of legal claims; the data has manifestly been made public; or you have given explicit consent.

When I collect and process data about criminal convictions, it will be because it is necessary for the establishment, exercise or defence of legal claims.

Who might I share your data with?

As necessary, and when providing legal services and carrying out the functions set out above, I may use and share your personal information with: my client; my instructing solicitors; a Court or Tribunal; opposing counsel and solicitors; witnesses and potential witnesses; a pupil or mini-pupil under my training; my chambers' management and staff who provide administrative services; my regulator or legal advisors in the event of a dispute or other legal matter; costs draftspersons; other third parties where necessary to meet legal obligations. This is not an exhaustive list, and there may be other examples where I need to share information with other parties.

How do I process, retain and dispose of your data?

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

I do not transfer personal data to third countries or international organisations.

I am committed to keeping personal data secure, and I will take reasonable precautions to avoid unauthorised access, improper use or disclosure, unauthorised modification, or accidental loss or destruction. I have implemented, and my chambers has implemented, security policies and technical measures to protect the personal information that I hold.

I will retain your personal data for as long as is necessary for me to meet my legal and professional obligations. In general I will retain personal data for up to 16 years from the date of my last interaction with you or the relevant client, although in some situations I will retain it for longer. My data retention policy is available on request and sets out further details.

What are your rights in relation to your data?

You have specific rights in relation to your information under the GDPR and Data Protection Act, including the following.

If you ask, you have a right to be told what information I hold about you and what I use it for; and you have a right to a copy of the information, unless it would adversely affect the rights and freedoms of others for me to provide it.

If the personal information I hold about you is inaccurate or incomplete, you have a right to have the mistakes rectified.

You can ask me to delete or remove your personal information, and I will delete or anonymise your information unless: there is or may be an unresolved issue, such as claim or dispute; I am legally required to retain it; or I have another overriding legitimate interest.

In certain circumstances, you can ask me to limit the way that I use your data.

If you have previously consented to me collecting and processing your data, you have the right to withdraw that consent at any time, and may do so by notifying me.

If you have a concern or complaint about any aspect of my privacy practices, including the way I have handled your personal information, you can report it to the UK Information Commissioner's Office (ICO). You can find details about how to do this on the ICO website at <https://ico.org.uk/concerns/> or by calling their helpline on 0303 123 1113.

How do you make requests in relation to your data?

You can make any request by writing to data@onepumpcourt.co.uk, or in writing to my registered address at One Pump Court Chambers, Elm Court, Temple, London EC4Y 7AH.

Marketing Opt-Outs

If you receive marketing messages from my chambers, you may opt out of receiving emails and other messages 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. My chambers' website uses cookies to: validate users; remember user preferences and settings; determine frequency of accessing content; measure the effectiveness of advertising campaigns; and analyse site visits and trends.

Updates

When I make significant changes to my Privacy Notice, I will publish the updated Notice on my website profile.