

DR DIJEN BASU QC

PRIVACY NOTICE

Date of last revision: 3rd July 2021

INTRODUCTION

I must and do comply with the information and privacy laws of the United Kingdom of Great Britain and Northern Ireland and, specifically, of England and Wales in which I primarily practise.

In order to provide legal services to my clients, which includes providing advice and representation, I need to collect and to hold personal data. This necessarily includes the personal data of my lay and professional clients and of others involved in matters in relation to which I am instructed. They include potential clients, individuals who feature in matters on which I am instructed, witnesses (including expert witnesses) for any party, opponents, judges etc. and court staff and others who are a part of (threatened or potential) proceedings.

ME

My full name is Dijendra Bhushan Basu. I am a data controller registered with the Information Commissioner for the personal data that I process as a barrister – registration number Z4680090.

My registered address is Serjeants' Inn Chambers, 85 Fleet Street, London EC4Y 1AE.

THE PERSONAL DATA THAT I PROCESS

In providing legal services, I process many different types of personal data. It is impossible compendiously to set out precisely which categories of personal data I might process in particular cases but they may include the following:-

- Names
- Addresses – email and real world
- Telephone numbers
- Payment and bank details
- Date of birth
- Details of next of kin
- Information on lifestyle and social circumstances
- Financial details
- Education, training and employment
- Business details

I also process special category personal data which may include information as to:

- Health
- Racial or ethnic origin
- Political opinions
- Religious beliefs



Philosophical beliefs
Trade union membership
Sex life
Sexual orientation
Criminal convictions and (alleged) offences.

COLLECTION OF PERSONAL DATA

Almost all of the personal data I collect is provided to me by or on behalf of my clients for the purposes of enabling me to provide legal services to them. I also collect other information from sources accessible to other members of the public, including subscription services.

LAWFUL BASIS FOR PROCESSING

More than one of basis may, of course, apply and I will use your personal data only for the purposes for which it was provided to me, unless I fairly consider that I need to do so for another reason that is compatible with the original purpose and my professional obligations to my client(s) do not prevent me such use.

My lawful bases for processing are as follows:-

Contractual Necessity

I will process your 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.

Legitimate Interests

To provide legal services to my client(s)

In relation to those who are not my client, to provide legal services to the client from whom or on whose behalf I have collected personal data

For billing, administration and management services in relation to my legal services, including fee collection services carried out by the staff of Serjeants' Inn Chambers

To deal with complaints etc., including any legal or regulatory action

To provide training to pupil barristers (i.e. barristers in training) and those undertaking work experience

For banking purposes

For accounting purposes

To improve my services

To ensure my IT systems are secure

To prevent fraud



For marketing purposes – although I will not share information from which you can be identified unless you have consented or it the information already lawfully in the public domain. You can opt out of any marketing messages sent by me or on my behalf by following the instructions for doing so contained in those messages.

Compliance with legal obligations

I process personal data in order to enable me to comply with applicable laws which includes making Value Added Tax and Income Tax returns to HM Revenue and Customs and to comply with my professional and regulatory obligations.

Performance of a task carried out in the public interest, namely processing necessary for the administration of justice

Consent

I may process your personal data with your consent. Where this is my lawful basis for processing, I will ensure that you have consented to the processing for each specific purpose for which I will process your data. Where the processing includes special category data, I will ensure that I have obtained your explicit consent to the processing in question.

You may, of course, withdraw your consent at any time and without giving any reason for so doing.

Processing of special category personal data is necessary:

For establishing, exercising or defending legal claims

For reasons of substantial public interest

Processing of personal data relating to offences and convictions, my processing is necessary:

For the purpose of, or in connection with, (prospective, threatened or potential) legal proceedings

For the purpose of obtaining legal advice

For the purposes of establishing, exercising or defending legal rights.

SHARING OF PERSONAL DATA

As a lawyer, I owe specific duties to lay and professional clients which include duties of confidentiality, one important category of which is legal professional privilege.

Subject to the above, I may share your personal data with:-

- My professional clients (i.e. solicitors or other professionals who instruct me)
- Other lawyers or expert witnesses, and their staff, with whom I am working
- Pupil barristers and work experience students



- The staff of Serjeants' Inn Chambers
- My regulator and/or my lawyers in the event of a dispute etc.
- Opponents
- Judges and court staff
- Law enforcement and government agencies and other third parties in order to meet my legal obligations
- My accountant
- My bank
- Others, where I first ask for, and obtain, your consent.

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

LENGTH OF DATA RETENTION

I will not keep your information in a form that identifies you for any longer than is necessary for the purposes set out here or as is required by law.

Unless the specific circumstances require me to keep it for a longer period, I will normally keep your information until at least 1 year after the expiry of any relevant limitation period (which limitation period will usually be 6 years but may be 12 years or longer), from the date of the last item of work carried out or the date of the last payment received, whichever is the latest

The reason for this is because I may need the information for potential legal proceedings. After that date I will normally anonymise, delete or destroy your information.

I will store indefinitely information which I need in order to carry out checks for potential conflicts of interest, limited to your name and contact details and the name of the case.

Names and contact details held for marketing purposes will be stored indefinitely or until I become aware that the individual has ceased to be a potential client.

TRANSFER OF PERSONAL DATA OUTSIDE THE EUROPEAN ECONOMIC AREA

If it is necessary or desirable for the purposes set out in this notice, I may transfer your personal information to a secure server outside the European Economic Area to recipients to which a European Commission adequacy decision under Article 45 of the UK GDPR applies.

DATA SECURITY

I maintain security measures in order to safeguard personal data which include protections against unauthorised or unlawful processing and against accidental loss, destruction or damage.



YOUR INFORMATION RIGHTS

You have the right to be informed about the collection and use of your personal data

You have the right of access to your personal data, and the right to request a copy of the information that I hold about you and supplementary details about that information. I will ask you to provide proof of your identity and residential address, and I may ask you to provide further details to assist me in the provision of such information

You have the right to have inaccurate personal data that I process about you rectified

You have the right of erasure - in certain circumstances you have the right to have personal data that I process about you blocked, erased or destroyed

You have the right to object to, or restrict processing of personal data concerning you for direct marketing and continued processing of your personal data

You have the right of portability of your data in certain circumstances.

I will not charge you a fee to access your personal data (or to exercise any of the other rights) but if your request is clearly unfounded, repetitive or excessive, I am entitled to charge a reasonable fee or to refuse to comply with your request.

These rights are subject to legal limitations. In particular, some rights are not exercisable in relation to personal data:-

- that consists of information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
- where disclosure of the data:
 - is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings)
 - is necessary for the purpose of obtaining legal advice, or
 - is otherwise necessary for the purposes of establishing, exercising or defending legal rights to the extent that the exercise of those rights would prevent me from making the disclosure.

For further information, go to the Information Commissioner's website and, specifically, visit <https://ico.org.uk/your-data-matters/>.

To contact me in relation to your information rights, please email dbasuqc@serjeantsinn.com.

CHANGES TO THIS PRIVACY NOTICE

I shall, from time to time, review, and I might change, this notice. If so, I shall publish any updated notice on my web page.



COMPLAINTS ABOUT MY PROCESSING OF YOUR PERSONAL DATA

If you are unhappy with the way I deal with your personal data, you have the right to make a complaint to the Information Commissioner: <https://ico.org.uk/make-a-complaint/>.

I hope, however, that you will raise any concerns with me directly and I shall do my best to resolve them, by emailing me or my clerks at clerks@serjeantsinn.com.

