

4 NEW SQUARE

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ANNEX 24 TO THE CONSTITUTION OF THE CHAMBERS OF 4 NEW SQUARE

4 New Square Privacy Notices

This page provides links to privacy notices, on behalf of (i) the members of chambers, pupils and other legal practitioners of or affiliated to 4 New Square and (ii) 4 New Square Ltd, all of whom are data controllers in their own right.

These privacy notices explain how and why each relevant controller processes personal data, and your rights as a data subject in respect of that processing.

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In these privacy notices, the following terms are used:

- "members of chambers" or "members" - self-employed barristers who are called to the Bar of England and Wales, have tenancy at 4 New Square and practice as barristers via Chambers
- "pupils" - those who are completing pupillage (the final stage of training to become a barrister) at 4 New Square
- "other legal practitioners" - legal practitioners (including arbitrators, mediators and adjudicators) who conduct work via 4 New Square on an occasional basis and have practices separate to 4 New Square which may be based in the UK or other jurisdictions
- "relevant practitioners" - collectively, members of chambers, pupils and other legal practitioners
- "UK GDPR" - the United Kingdom General Data Protection Regulation (accessible here: <https://www.legislation.gov.uk/eur/2016/679>)
- "personal data" - any information relating to an identified or identifiable natural person
- "special category data" - data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, and the processing of genetic data,

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biometric data for the purposes of uniquely identifying a natural person, data concerning health or data concerning a person's sex life or sexual orientation

- "data subject" - a natural person who is identified or identifiable from any personal data
- "controller" - the person which, alone or jointly, with others, determines the purposes and means of the processing of personal data
- "processor" - a person which processes personal data on behalf of the controller
- "consent" - any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her

For any questions, please write to gdpr@4newsquare.com.

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A. Professional/legal services

1. Scope

All data subjects whose personal data is collected for the purposes of providing professional (predominantly legal) services, in line with the requirements of the UK GDPR, the Data Protection Act 2018 and other data protection legislation.

2. Privacy Statement

2.1 Who are we?

4 New Square are a set of barristers, each of whom is a data controller. 4 New Square also has pupils and other legal practitioners each of whom is a data controller. Our practices are administered through 4 New Square Ltd, which employs Chambers' staff and is also a data controller.

4 New Square Limited does not itself provide legal services, but it may process data in connection with such services for the purposes and to the extent set out below.

Any queries or communications relating to data protection issues can be addressed to us through Chambers' senior clerk, Lizzy Stewart:

4 New Square
Lincoln's Inn
London, WC2A 3RJ
l.stewart@4newsquare.com
+44 02078222000

2.2 What types of personal data do we collect and/or retain?

In order to advise and represent clients or other consider and respond to instructions (in their capacity as counsel, mediators, arbitrators, experts or judges), relevant practitioners may process the personal data of actual or potential professional and lay clients, as well as individuals connected to the matters arising from those instructions, and/or employees, agents, legal advisers and representatives of any such person.

This may include names, contact details, addresses, financial and employment details and other biographical information, as well as special category data such as racial or ethnic origins, political opinions or religious or philosophical beliefs, trade union membership, genetic or biometric data and details concerning health, sex life or sexual orientation. It may also include data relating to criminal allegations, proceedings or convictions.

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2.3 Legal Bases

The legal bases for our processing of your personal data may include any or all of:

- (a) Your consent.
- (b) The performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract.
- (c) Compliance with our legal obligations.
- (d) The legitimate interests of ourselves and/or third parties, such as our clients. The legitimate interests pursued by us, or third parties, are the professional, commercial and/or legal interests which we, or they, may have in the purposes identified above.

Special category data is processed on the basis of:

- (a) Your explicit consent to the processing of those personal data for one or more specified reasons
- (b) It being in the public domain (i.e. manifestly made public by the data subject)
- (c) Necessity for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity (note that this will include complaints/potential legal claims against relevant practitioners or 4 New Square Ltd)

Personal data relating to criminal convictions is processed on the basis of:

- (a) Your consent
- (b) It being in the public domain (i.e. manifestly made public by the data subject)
- (c) Necessity for the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings)
- (d) Necessity for the purpose of obtaining legal advice, or for the purposes of establishing, exercising or defending legal rights
- (e) Necessity when a court or tribunal is acting in its judicial capacity

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2.4 Consent and opting out

You may withdraw consent and/or ask us to stop the processing of your personal data for the purposes set out in paragraph 2.3 above at any time by emailing gdpr@4newsquare.com or by writing to:

Lizzy Stewart
4 New Square
Lincoln's Inn
London, WC2A 3RJ

2.5 Recipients of personal data

Personal data may be shared for one of the purposes set out above, where it is reasonably necessary to do so. Personal data may be shared with pupils and mini-pupils for the purpose of their education and professional development, where it is not practical for the personal data to be removed.

Whenever data is shared by a data controller, all reasonable precautions will be taken to ensure the security of the data, including through binding agreements relating to the lawful processing of personal data.

For the arrangements between relevant practitioners and 4 New Square Ltd, please see [here](#).

2.6 Transfers to a third country

In some cases, it may be necessary to transfer personal data to a third country: for example, in connection with international litigation or arbitration. If there is no adequacy decision in respect of that third country, and no appropriate safeguards can be put in place in accordance with Articles 46 and 47 UK GDPR, personal data will be transferred on the basis of:

- (a) Your explicit consent to the proposed transfer
- (b) Necessity for the conclusion or performance of a contract concluded in the interest of the data subject
- (c) Necessity for the establishment, exercise or defence of legal claims

Reasonable efforts will be made to ensure that the transferred personal data will be protected following the transfer.

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2.7 Retention period

4 New Square Limited and relevant practitioners have a legitimate interest in retaining personal data, obtained and processed in connection with professional and legal services. This may include possible third-party claims against those practitioners.

Absent any suggestion of knowing wrongdoing or concealment, the long stop limitation period in respect of most types of 'professional negligence' claims against us is 15 years from the date of the relevant breach of duty. A justifiable retention period for personal data we hold is thus 15 years from the conclusion of the case, i.e., starting the period from the end of the data controller's active involvement in the matter, rather than from e.g. the date on which a particular piece of personal data was obtained or last (actively) processed.

Taking into account the period of time for which a case may be in progress, and in view of the characteristics of the document storage systems at 4 New Square, we intend to retain personal data for a period of 20 years starting from the relevant practitioner's first involvement in a case.

This general policy is subject to the overriding need to ensure that personal data, in the particular circumstances of any given matter, is: (i) not retained for longer than is necessary; and (ii) is not destroyed when it is still necessary to continue processing it. It is also subject to any particular issues as may pertain, from a limitation perspective, to the given matter.

2.8 Your rights as a data subject

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access - you have the right to request a copy of the personal data that we hold about you and other information, including the following:
 - (a) the purposes of the processing;
 - (b) the categories of personal data concerned;
 - (c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
 - (d) the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
 - (e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;

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- (f) the right to lodge a complaint with a supervisory authority;
 - (g) where the personal data are not collected from the data subject, any available information as to their source;
 - (h) the existence of automated decision-making, including profiling and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- Right of rectification - you have a right to correct data that we hold about you that is inaccurate or incomplete.
 - Right to be forgotten - in certain circumstances you can ask for the data we hold about you to be erased from our records.
 - Right to restriction of processing - where certain conditions apply you may have a right to restrict our processing.
 - Right of portability - you have the right to have the data we hold about you transferred to another organisation.
 - Right to object - you have the right to object to certain types of processing such as direct marketing.
 - Right to object to automated processing, including profiling - you also have the right to object to the legal effects of automated processing or profiling.
 - Right to review: in the event that we refuse your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined below.

You may exercise any of these rights at any time either by emailing us at gdpr@4newsquare.com or by writing to the senior clerk, Lizzy Stewart, at:

4 New Square
Lincoln's Inn
London, WC2A 3RJ

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These rights may be subject to adaptations or restrictions, for example where:

- (a) Personal data consists of information which is confidential and/or legally privileged.
- (b) Personal data consists of or contains information relating to another individual who can be identified from the information, and there is neither consent nor would it be reasonable to disclose the information without the consent of the other individual.
- (c) Disclosure is required by law, under an enactment, rule or order of a court or tribunal.
- (d) Disclosure is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings).
- (e) Disclosure is necessary for the purpose of obtaining legal advice.
- (f) Disclosure is otherwise necessary for the purposes of establishing, exercising or defending legal rights.

Personal data collected in connection with legal services will be exempt from the transparency requirements where it is subject to legal professional privilege by virtue of paragraphs 18 and 19 of Schedule 2 to the Data Protection Act 2018.

2.9 Complaints

In the event that you wish to make a complaint about how your personal data is being processed by a relevant practitioner or 4 New Square Ltd, or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority or with us directly.

The details for each of these contacts are:

Supervisory authority contact details	Our contact details
Information Commissioners Office https://ico.org.uk/concerns/handling/ 0303 123 1113	Lizzy Stewart Senior Clerk 4 New Square Lincoln's Inn London, WC2A 3RJ gdpr@4newsquare.com

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B. Marketing

1. Scope

All data subjects whose personal data is collected for the purposes of marketing (including in connection with legal directory submissions), in line with the requirements of the UK GDPR, the Data Protection Act 2018, the Privacy and Electronic Communications Regulations 2003 and other data protection legislation.

2. Privacy Statement

2.1 Who are we?

4 New Square are a set of barristers, each of whom is a data controller. 4 New Square also has pupils and other legal practitioners each of whom is a data controller. Our practices are administered through 4 New Square Ltd, which employs Chambers' staff and is also a data controller.

Any queries or communications relating to data protection issues can be addressed to us through Chambers' senior clerk, Lizzy Stewart:

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London, WC2A 3RJ
l.stewart@4newsquare.com
+44 02078222000

2.2 What types of personal data do we collect and/or retain?

The personal data that we collect and/or retain for marketing and related purposes is:

<ul style="list-style-type: none">• First name• Last name• Company/Firm Name• Position in Company/Firm• Area(s) of Law• Mailing Address (home address or work address)• Email Address	Source: Publicly available information such as website, or from details provided by you to one or more relevant practitioner(s) or to 4 New Square Ltd.
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The personal data we collect will be used for the following purposes:

- (a) To send you updates on legal developments, briefings, invitations to events, and other communications relating to the services we offer;
- (b) To monitor and analyse our practices and client relationships;
- (c) To facilitate our internal business operations;
- (d) To make submissions to legal directories and/or applications for appointment as King's Counsel or to judicial office;
- (e) To comply with any legal or professional obligations (including obligations under contracts of insurance); and
- (f) If applicable, to advance the management of individual cases and retainers.

2.3 Legal Bases

The legal bases for our processing of your personal data may include any or all of:

- (a) Your consent.
- (b) The performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract.
- (c) Compliance with our legal obligations.
- (d) The legitimate interests of ourselves and/or third parties, such as our clients.

The legitimate interests pursued by us, or third parties, are the professional, commercial and/or legal interests which we, or they, may have in the purposes identified above.

The categories of personal data which we collect for marketing and related purposes do not include special categories of personal data.

2.4 Consent and opting out

You may withdraw consent and/or ask us to stop the processing of your personal data for the purposes set out in paragraph 2.3(a) to (d) above at any time by emailing gdpr@4newsquare.com or by writing to:

Lizzy Stewart
4 New Square
Lincoln's Inn
London, WC2A 3RJ

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2.5 Recipients of personal data

For the purposes identified above, we may disclose your personal data to relevant practitioners (as defined above), employees, advisers or other agents acting on our behalf, legal directories, the bodies responsible for appointment as King's Counsel and the judiciary, and/or to any person to whom we are obliged legally or professionally to disclose that data, or for the purposes of advancing the management of individual cases and/or retainers.

2.6 Transfers to a third country

We will not transfer your personal data held for the purposes set out in paragraph 2.2 above to third party controllers or processors of data in third countries.

2.7 Retention period

Except when your personal data is or has been used for the purposes identified at paragraph 2.2(e) or (f) above, we (i.e. 4 New Square Limited and any relevant practitioner with a relevant role in connection with marketing) will store and process personal data for 3 years subject to any withdrawal of consent. After this time, we will contact you again to ensure that the personal information remains accurate and that you give your consent to continue to process your personal information. If we do not receive your explicit consent, your personal data will be erased.

2.8 Your rights as a data subject

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access - you have the right to request a copy of the personal data that we hold about you and other information, including the following:
 - (a) the purposes of the processing;
 - (b) the categories of personal data concerned;
 - (c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
 - (d) the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
 - (e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;

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- (f) the right to lodge a complaint with a supervisory authority;
 - (g) where the personal data are not collected from the data subject, any available information as to their source;
 - (h) the existence of automated decision-making, including profiling and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- Right of rectification - you have a right to correct data that we hold about you that is inaccurate or incomplete.
 - Right to be forgotten - in certain circumstances you can ask for the data we hold about you to be erased from our records.
 - Right to restriction of processing - where certain conditions apply you may have a right to restrict our processing.
 - Right of portability - you have the right to have the data we hold about you transferred to another organisation.
 - Right to object - you have the right to object to certain types of processing such as direct marketing.
 - Right to object to automated processing, including profiling - you also have the right to object to the legal effects of automated processing or profiling.
 - Right to review: in the event that we refuse your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined below.

You may exercise any of these rights at any time either by emailing us at gdpr@4newsquare.com or by writing to the senior clerk, Lizzy Stewart, at:

4 New Square
Lincoln's Inn
London, WC2A 3RJ

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These rights may be subject to adaptations or restrictions, for example where:

- (a) Personal data consists of information which is confidential and/or legally privileged;
- (b) Personal data consists of or contains information relating to another individual who can be identified from the information, and there is neither consent nor would it be reasonable to disclose the information without the consent of the other individual;
- (c) Disclosure is required by law, under an enactment, rule or order of a court or tribunal;
- (d) Disclosure is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings);
- (e) Disclosure is necessary for the purpose of obtaining legal advice; and
- (f) Disclosure is otherwise necessary for the purposes of establishing, exercising or defending legal rights.

2.9 Complaints

In the event that you wish to make a complaint about how your personal data is being processed by a relevant practitioner or 4 New Square Ltd, or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority or with us directly.

The details for each of these contacts are:

Supervisory authority contact details	Our contact details
Information Commissioners Office https://ico.org.uk/concerns/handling/ 0303 123 1113	Lizzy Stewart Senior Clerk 4 New Square Lincoln's Inn London, WC2A 3RJ gdpr@4newsquare.com

C. Applications, recruitment and staffing

1. Scope

All data subjects whose personal data is collected for the purposes of assessing applications and recruiting new members of chambers, pupils, legal practitioners or staff, in line with the requirements of the UK GDPR, the Data Protection Act 2018 and other data protection legislation.

2. Privacy Statement

2.1 Who are we?

4 New Square are a set of barristers, each of whom is a data controller. 4 New Square also has pupils and other legal practitioners each of whom is a data controller. Our practices are administered through 4 New Square Ltd, which employs Chambers' staff and is also a data controller.

Any queries or communications relating to data protection issues can be addressed to us through Chambers' senior clerk, Lizzy Stewart:

4 New Square
Lincoln's Inn
London, WC2A 3RJ
l.stewart@4newsquare.com
+44 02078222000

2.2 What types of personal data do we collect and/or retain?

In order to consider applications to join Chambers, whether as a member, legal practitioner, pupil, member of staff or mini-pupil (or otherwise), it is necessary to process various categories of personal data, relating to the applicants and people referred to in applications (e.g. referees). To that end, we will process your data, in accordance with applicable law, only for the following purposes:

- (a) To consider, sift and process an application;
- (b) To make reasonable adjustments where any medical or health conditions apply;
- (c) To assess performance, for example at interview, to take a reference, and to take other reasonable steps required to make a final decision on an application;
- (d) To make formal offers of tenancy, pupillage or mini-pupillage or to agree to a work placement;

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- (e) To collect anonymised diversity data in line with our regulatory obligation to publish such data for statistical purposes;
- (f) To process the payment of the Pupillage Award;
- (g) To process the payment to mini pupils in relation to travel costs;
- (h) To make or defend complaints;
- (i) As otherwise required or permitted by law.

The personal data which is processed for these purposes may include names, contact details, addresses, financial and employment details and other biographical information. It may include special category data, including racial and ethnic origins and sexual orientation, if you choose to disclose that as part of your application, and thereafter possibly for equalities and diversity monitoring. It may also include data relating to criminal allegations, proceedings or convictions.

2.3 Legal Bases

The legal bases for our processing of your personal data may include any or all of:

- (a) Your consent.
- (b) The performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract.
- (c) Compliance with our legal obligations.
- (d) Our legitimate interests.

The legitimate interests pursued by us, or third parties, are the professional, commercial and/or legal interests which we, or they, may have in the purposes identified above. In particular, we will be concerned to ensure suitability for any role being applied for, and to carry out equalities and diversity monitoring as well as general quality control.

Special category data may be processed on the basis of any or all of:

- (a) Your explicit consent to the processing of those personal data for one or more specified reasons.
- (b) It being in the public domain (i.e. manifestly made public by the data subject).

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- (c) Necessity for the establishment, exercise or defence of legal claims (note that this will include complaints/potential legal claims against the relevant practitioner(s) or 4 New Square Ltd).

Personal data relating to criminal convictions may be processed on the basis of any or all of:

- (a) Your consent.
- (b) Necessity for the purposes of carrying out obligations and exercising specific rights in the field of employment law in so far as it is authorised by domestic law.
- (c) It being in the public domain (i.e. manifestly made public by the data subject).
- (d) Necessity for the purpose of, or in connection with, any legal proceedings (including prospective legal proceedings).
- (e) Necessity for the purpose of obtaining legal advice, or for the purposes of establishing, exercising or defending legal rights.

2.4 Consent and opting out

You may withdraw consent and/or ask us to stop the processing of your personal data for the purposes set out in paragraph 2.3 above at any time by emailing gdpr@4newsquare.com or by writing to:

Lizzy Stewart
4 New Square
Lincoln's Inn
London, WC2A 3RJ

2.5 Recipients of personal data

Your personal data will not be shared with anyone other than on one of the bases set out above, and in particular where it is reasonably necessary to do so. Whenever that is the case, all reasonable precautions will be taken to ensure the security of the data, including through binding agreements relating to the lawful processing of personal data.

Your personal data, depending on the nature of the application and the role being applied for, may therefore be shared with:

- (a) Members of Chambers or other relevant practitioners
- (b) Members of staff
- (c) Bar Standards Board and Bar Council

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- (d) For pupillage applicants, the Pupillage Gateway
- (e) Third parties providing references, e.g. we may contact third parties to ask them for references in accordance with your wishes
- (f) Any recruitment company connected with the application
- (g) Third party catering staff or companies in connection with relevant events

For the arrangements between relevant practitioners and 4 New Square Ltd, please see [here](#).

2.6 Transfers to a third country

We will not transfer your personal data held for the purposes set out in paragraph 2.2 above to third party controllers or processors of data in third countries.

2.7 Retention period

Personal data which relate to applications for mini-pupillages, pupillages and staff roles will be retained by 4 New Square Limited, and any relevant practitioner with a relevant role in connection with applications, recruitment and/or staffing, broadly, for as long as a relevant individual remains in employment, and for one year after the end of their employment (unless there is a reason to retain it for longer, e.g. an ongoing dispute). In respect of mini-pupils and pupils, data is held for two years. For other applicants, data is held for six months.

2.8 Your rights as a data subject

At any point while we are in possession of or processing your personal data, you, the data subject, have the following rights:

- Right of access - you have the right to request a copy of the personal data that we hold about you and other information, including the following:
 - (a) the purposes of the processing;
 - (b) the categories of personal data concerned;
 - (c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
 - (d) the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
 - (e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
 - (f) the right to lodge a complaint with a supervisory authority;

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- (g) where the personal data are not collected from the data subject, any available information as to their source;
 - (h) the existence of automated decision-making, including profiling and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- Right of rectification - you have a right to correct data that we hold about you that is inaccurate or incomplete.
 - Right to be forgotten - in certain circumstances you can ask for the data we hold about you to be erased from our records.
 - Right to restriction of processing - where certain conditions apply you may have a right to restrict our processing.
 - Right of portability - you have the right to have the data we hold about you transferred to another organisation.
 - Right to object - you have the right to object to certain types of processing such as direct marketing.
 - Right to object to automated processing, including profiling - you also have the right to object to the legal effects of automated processing or profiling.
 - Right to review: in the event that we refuse your request under rights of access, we will provide you with a reason as to why. You have the right to complain as outlined below.

You may exercise any of these rights at any time either by emailing us at gdpr@4newsquare.com or by writing to the senior clerk, Lizzy Stewart, at:

4 New Square
Lincoln's Inn
London, WC2A 3RJ

These rights may be subject to adaptations or restrictions, for example where:

- (a) Personal data consists of information which is confidential and/or legally privileged;
- (b) Personal data consists of or contains information relating to another individual who can be identified from the information, and there is neither consent nor would it be reasonable to disclose the information without the consent of the other individual;

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- (c) Personal data consists of a reference given in confidence for the purposes of your education, training or employment;
- (d) Disclosure is required by law, under an enactment, rule or order of a court or tribunal;
- (e) Disclosure is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings);
- (f) Disclosure is necessary for the purpose of obtaining legal advice; and
- (g) Disclosure is otherwise necessary for the purposes of establishing, exercising or defending legal rights.

2.9 Complaints

In the event that you wish to make a complaint about how your personal data is being processed by a relevant practitioner or 4 New Square Ltd, or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority or with us directly.

The details for each of these contacts are:

Supervisory authority contact details	Our contact details
Information Commissioners Office https://ico.org.uk/concerns/handling/ 0303 123 1113	Lizzy Stewart Senior Clerk 4 New Square Lincoln's Inn London, WC2A 3RJ gdpr@4newsquare.com