



PRIVACY NOTICE FOR CANDIDATES AS AN EMPLOYEE, WORKER OR CONTRACTOR

16th October 2024

WHAT IS THE PURPOSE OF THIS NOTICE?

XXIV Old Buildings of Lincoln's Inn, London WC2A 3UP (**Chambers** or **XXIV**) is committed to protecting the privacy and security of your personal information. Chambers membership comprises the barristers and arbitrators working from Chambers as listed from time to time at <https://xxiv.co.uk> (the **Members**).

This privacy notice describes how Chambers collects and uses personal information about you during and after your working relationship with Chambers, in accordance with the retained law version of the European General Data Protection Regulation (**UK GDPR**) and the Data Protection Act 2018.

We are a "data controller" with respect to your personal data. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to candidates applying for work with us (whether as an employee, worker or contractor). This notice does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as soon as reasonably practical by posting it on our website located at <https://xxiv.co.uk> or such other location notified to you.

It is important that you read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

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XXIV Old Buildings is regulated by the BSB

DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

WHAT IS PERSONAL DATA?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are certain types of more sensitive personal data which require a higher level of protection, such as information about a person's health or sexual orientation. Information about criminal convictions also warrants this higher level of protection.

THE KIND OF INFORMATION WE HOLD ABOUT YOU

As part of your application for work with us, we will collect, store, and process some or all of the following categories of personal information about you:

- The information you provided to us in your curriculum vitae, covering letter, or application form.
- Any information you provide to us during an interview or we otherwise collect while interacting with you.



- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Employment history (including job titles, work history, qualifications, working hours, holidays, training records and professional memberships).
- Compensation history.
- References.

We may also collect, store and use the following more sensitive types of personal information about your health, including any medical condition, health and sickness records, including any health-related or disabilities information disclosed by you for which Chambers would need to make any reasonable adjustments under applicable law.

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect personal information about you through the application and recruitment process, either directly from candidates or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers or your public persona on social media sites.

HOW WE WILL USE INFORMATION ABOUT YOU

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. To assess your skills, qualifications and suitability for the work or role with us.
2. To carry out background and reference checks, where applicable.
3. To communicate with you about the recruitment process.
4. To keep records relating to our hiring processes.
5. To comply with legal or regulatory requirements.
6. To make determinations about your future fit as an employee, worker or contractor.
7. Where it is necessary for legitimate interests pursued by us or a third party and your interests and fundamental rights do not override those interests.



Situations in which we will use your personal information

We will process your personal information to decide whether to appoint you to any role with us.

We will also process your personal data to decide whether or not to enter into a contract with you or to provide you with the relevant work experience. If you decide to progress your application with us, we might invite you for an interview. If we do, we will use the information you provide to us at the interview along with other data collected during the process, to decide whether to offer you the role or work experience. If we do so, we may take up references and any other applicable checks before confirming your appointment with us.

If you fail to provide personal information

If you fail to provide information when requested, which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require references for a role and you fail to provide us with relevant details, we will not be able to take your application further.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

Situations in which we will use your sensitive personal information

In general, we will not process particularly sensitive personal information about you unless it is necessary for performing or exercising obligations or rights in connection with employment. On rare occasions, there may be other reasons for processing, such as it is in the public interest to do so.

In the event that we make you an offer, we will use information about your physical or mental health, or disability status, to help us make any reasonable adjustments for you.



Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

INFORMATION ABOUT CRIMINAL CONVICTIONS

We do not envisage that we will hold information about criminal convictions.

AUTOMATED DECISION-MAKING

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

DATA SHARING

We share your data with third parties, including third-party service providers and members of Chambers (**Members**).

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU.

We do not currently share your personal information with third parties outside the EU. However, if we do, you can expect a similar degree of protection in respect of your personal information. In such event, we will provide you with an updated copy of this notice as soon as soon as reasonably practical by posting it on our website located at <https://www.xxiv.co.uk>.

Why might you share my personal information with third parties?

We will share your personal information with Members, or third parties where required by law, where it is necessary to administer their working relationship with you or where we have another legitimate interest in doing so.



Which third-party service providers process my personal information?

“Third parties” includes third-party service providers (including contractors and designated agents) and other entities contracting with the Chambers. The following activities are carried out by third-party service providers: payroll, pension administration, benefits provision and administration, IT services, obtaining legal advice, training, budgeting and other business administration services.

How secure is my information with third-party service providers and other related entities in Chambers?

All Members and our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

When might you share my personal information with Members?

We will share your personal information with Members as part of our regular reporting activities on employee performance, and in the context of a business organisation, funding, and administration purposes.

What about other third parties?

We may also need to share your personal information with a regulator or to otherwise comply with the law. This may include making returns to HMRC, disclosures to insurers, regulators and Members.

DATA SECURITY

We have put in place measures to protect the security of your information.

Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

DATA RETENTION

How long will you use my information for?

We will retain your personal information for a period of 6 months after we have communicated to you our decision about whether to appoint you to a role at Chambers. After this period, we will securely destroy your personal information in accordance with applicable laws and regulations.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

If you become an employee, worker or contractor at XXIV, we will retain and, after your contract with us has determined, securely destroy your personal information in accordance with our then in force data retention policy and applicable laws and regulations.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.



- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact Chambers' data protection manager via email at privacy@xxiv.co.uk

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

RIGHT TO WITHDRAW CONSENT

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our data protection manager via email at privacy@xxiv.co.uk. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.



CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice, please contact data protection manager via email at privacy@xxiv.co.uk