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DATA PROTECTION POLICY

Introduction

The Chambers of C J Algar are fully committed to compliance with the requirements of the Data Protection Act 1998 ('the Act'), which came into force on the 1st March 2000 and is fully aware of and will abide by its duties and responsibilities under the Act.

Statement of policy

In order to operate efficiently, Chambers has to collect and use information about people with whom it works. These may include members of the public, professional clients, witnesses, experts and suppliers. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means, and there are safeguards within the Act to ensure this. Chambers regards the lawful and correct treatment of personal information as very important to its successful operations and to maintaining confidence between chambers and those with whom it carries out business. Chambers will ensure that it treats personal information lawfully and correctly. To this end chambers fully endorses and adheres to the Principles of Data Protection as set out in the Data Protection Act 1998.

The principles of data protection

The Act stipulates that anyone processing personal data must comply with eight data protection principles of good information handling (which are legally enforceable). The principles say that personal information must be:

1. fairly and lawfully processed
2. obtained and processed only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes
3. adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed
4. accurate and where necessary, kept up to date
5. not be kept for longer than is necessary for that purpose or those purposes
6. processed in line with the rights of the individual
7. be kept secure i.e. protected by an appropriate degree of security
8. not be transferred to a country or territory outside the European Economic area, unless that country or territory ensures an adequate level of data protection.

The Act provides conditions for the processing of any personal data. It also makes a distinction between personal data and 'sensitive' personal data. *Personal data is defined as, data relating to a living individual who can be identified from:* That data and other information which is in

the possession of, or is likely to come into the possession of the data controller and includes an expression of opinion about the individual and any indication of the intentions of the data controller, or any other person in respect of the individual. *Sensitive personal data is defined as personal data consisting of information as to:* Racial or ethnic origin; Political opinion; Religious or other beliefs; Trade union membership; Physical or mental health or condition; Sexual life; Criminal proceedings or convictions.

Chambers 'Best Practice' with regards handling of personal/sensitive information

Chambers will therefore:

1. Keep personal information secure, by
   keeping passwords secure (changing regularly where possible); locking / logging off computers when away from desks; disposing of confidential paper waste securely; taking care when opening emails and attachments or visiting new websites to prevent virus attacks; work on a 'clear desk' basis (and securely storing hard copy personal information when it is not being used); keep back-ups of information from our server / software databases.

2. Meet the reasonable expectations of customers and employees, by
   collecting only the personal information we need for a particular business purpose; explaining new or changed business purposes to customers and employees, and to obtain consent or provide an opt-out where appropriate; update records promptly; delete personal information the business no longer requires; understanding that we will be committing an offence if we release customer / employee records without consent; letting staff know of any workplace monitoring that may be in operation.

3. Be aware of issues relating to the disclosure of customer personal information over the telephone, by
   being aware that there are people who will try and trick us to give out personal information; being aware that to prevent these disclosures we should carry out identity checks where appropriate; limiting the amount of personal information given out over the telephone and to follow up with written confirmation where appropriate.

4. Notify under the Data Protection Act
   We will make staff aware that we are currently relying on an exemption from notifying the ICO of our data controller but will monitor changes in our business use of personal information, and notify the ICO if and when our situation changes and the need to do so arises.

5. Handle requests from individuals for their personal information (subject access requests), by
   understanding that people have a right to have a copy of the personal information we hold; understanding how to recognise a subject access request; knowing who to pass the request to if it is not the persons responsibility to answer; knowing that the company has a maximum of 40 days to respond; knowing that the maximum fee that can be charged is £10; knowing that we may need to check the identity of the requester; knowing what to do if other people's information is contained in the proposed response.

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Other General issues relating to Data Protection and Policy

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