

Appendix 1:

Legal Advice Centre Privacy Notice

Introduction

Royal Holloway and Bedford New College, also known as Royal Holloway, University of London, will act in accordance with the General Data Protection Regulation (GDPR), the Data Protection Act 2018 and any subsequent legislation when we collect, share, store or otherwise use your personal data.

The Royal Holloway Legal Advice Centre (LAC) is part of Royal Holloway's School of Law and Social Sciences. For the purpose of this notice Royal Holloway, through the LAC, is a Data Controller, which means we decide what personal data we collect from you and how we use it to meet our purposes and provide you with the best possible service.

This notice explains how the LAC collects, uses and shares your personal data and your rights in relation to the processing of your data.

In this notice:

- **'personal data'** means any data which can identify you directly or indirectly (whether by itself or when combined with other data), regardless of the format or media on which the data are stored. This includes data that can identify you when combined with other data that is held separately (pseudonymous data) but does not include data that has been manipulated so that you can no longer be identified from it (anonymous data).
- **'processing'** means any activity relating to your personal data including collection, use, alteration, storage, disclosure and destruction.

What personal data will be collected

Depending on the nature of the legal advice sought, the categories of personal information that we collect, store and use about you will include (but are not limited to):

- Name, address, phone number, email address and date of birth;
- If you are contacting us on behalf of a legal enterprise your job title;
- National Insurance number
- Driving license and/or passport details;
- Information relating to the matter in which you are seeking advice or representation from us;

- Existing legal representation;
- Bank statements or utility bills for verification purposes.

Special category data processed may include information about:

- Sexual orientation
- Political opinions
- Genetic data
- Biometric data (where used for identification purposes)
- Sex life
- Gender reassignment
- Disability
- Pregnancy and maternity
- Ethnic origin
- Trade union membership
- Religious or philosophical beliefs
- Physical or mental health details

While spent and unspent criminal convictions are not considered Special Category data in law, when we process this data for the purposes of the LAC, this data is protected by appropriate safeguards, including encryption.

How and when do we collect your personal data?

Apart from the data that you provide to us, we may also collect data about you from a range of sources, which include:

- Email and telephone correspondence;
- Client notes made by our staff or student volunteers, relating to your case;
- Records of any potential conflict of interests;
- Contact and identity information available from public records (such as Companies House or HM Land Registry).

Personal data from third parties

Where you have provided the LAC with written authority to contact a third party on your behalf to obtain a specific response or to request further information in respect of your case, we will seek to obtain and process your personal data as instructed. All data that we obtain for this purpose will be limited to what is necessary for us to achieve a specific purpose and will not be shared with additional third parties unless:

- You give us your express written consent to do so;
- We have a legal obligation to disclose the data;
- There is a legitimate interest in disclosing the data for a specific purpose

Why do we collect this data, how do we use it and what is our legal basis for doing so?

We collect your data in order to provide you with the services available at the LAC.

Every organisation that processes personal data or special category data is required to have a lawful basis for doing so. Our LAC will process such data on the following basis:

1) Consent:

Referral to third parties: In the event that our LAC is unable to assist you with your matter, with your consent, we can refer your matter to a partner law firm. If this happens, you will be required to sign an authority form. The LAC will also have a third-party sharing agreement in place with such third parties, which will set out the purpose of us sharing your personal data. The purpose of referring your matter to a partner law firm will be for you to either obtain free initial telephone advice or for an expert solicitor to check over your written advice produced by our Student Advisers.

Writing to opponents: There may be certain situations where the LAC agrees to write to another party in this case, for example, a landlord or the local authority. We would only do this, if you consented. If this happens, you will be required to sign an authority form that we would need to send to the other side, which shows that we have your permission to discuss your case with them.

2) Legitimate interests:

To assess whether we can provide you with Legal Advice/ information:

When you are a prospective client and contact the LAC to book an appointment, you are required to provide us with the following information: Name, address, DOB, telephone number, brief details of the matter and other party names referred to.

This allows the LAC to assess the suitability of your matter; there are cases that we will not be able to accept because they go beyond the scope of what we could undertake, or they require immediate attention.

To provide you with Legal Advice/information:

Whilst we do not have a legally binding contract with you in respect of the legal advice we provide, we have a 'legitimate interest' in providing you with a service that you request from our LAC, which means that it lets us carry out our aims and goals as an organisation.

We have a legitimate interest in collecting the below:

Contact details: We require your contact details (e.g. your name, address, telephone contact number, email address) for the purpose of contacting you to provide you with written legal advice, and/or clarifying certain matters about your case.

Employment status: We will only ask about your employment status to establish whether you could be eligible for public funding, or if your matter is an employment law matter, and we need to refer your case to a partner law firm.

Housing status: We will ask about your housing status if your matter relates to a landlord and tenant dispute, or a housing matter, so as to provide you with the appropriate legal advice.

Personal relationship status: We will ask about your personal status if your matter relates to a divorce, civil partnership or co-habitation family law matter.

National Insurance Number: We may have to ask you for your national insurance number and the types of benefits you are on if you need specific advice about welfare benefits.

Equality and Diversity monitoring: We will collect information about gender, disability, and ethnicity. This information will be anonymised and shared with our partner charity LawWorks. LawWorks collects this anonymised data for the following reasons:

- To develop resources and support services for Clinics
- To publicise the work of pro bono law clinics and to influence policy and decision-making
- To share information with the Clinics network in support of their development, influencing and fundraising
- To enable their own fundraising for further support to Clinics.

If you would like further information about the above, please contact our Director of the LAC (Thanh.Pham@rhul.ac.uk)

3) Legal obligation:

We have a regulatory obligation to carry out a 'conflict of interest' test before accepting your matter, which is in line with the Solicitors Regulation Authority's Standards and Regulations. We collect personal data, such as your name, address and date of birth, and details of third party opponents, in order to achieve this.

Other situations include, where we would be required in law to provide personal data to comply with the College's legal obligations.

How long we will retain your personal data

Your data will be kept in accordance with the LAC's Records Retention Policy and Schedule, which is 6 years from the time that your matter is closed. If you require a copy of this, please contact the LAC (LAC@royalholloway.ac.uk).

CCTV and automatic number plate recognition (ANPR)

On Campus-Face-to-Face sessions at the LAC

The College has a comprehensive, image-only CCTV surveillance system across its campus. Cameras located on and within buildings are monitored by Royal Holloway's Security. On occasions, Security staff will wear Body Worn Cameras in the course of their duties. These cameras record both images and sound, and data captured in this manner is processed in compliance with GDPR.

The College uses ANPR (Automatic Number Plate Recognition) camera technology to manage, control and enforce parking on its sites. They are governed under guidelines from the Information Commissioner's Office on the use of CCTV and ANPR Cameras and are operated by College's Security team.

Sharing your personal data with third parties

Where the College uses third parties to process personal data on its behalf (acting as data processors), a written contract will be put in place to ensure that any personal data shared will be held in accordance with the requirements of data protection law and that such data processors have appropriate security measures in place in relation to your personal data.

This includes companies which provide such services as our case management software, or where we have referred your matter to a partner law firm for the purposes of receiving legal advice (as mentioned above).

Please note that in certain circumstances we may need to share your personal information with a regulator or to otherwise comply with the law.

International Data Transfers

Most personal data about you, will be stored on servers within the UK or elsewhere within the European Economic Area (EEA).

On occasion it may be necessary for the College or the LAC to transfer your personal data outside of the European Economic Area (EEA). This will only take place in circumstances where there are appropriate and adequate safeguards in place which incorporate appropriate assurances to ensure the security of the information and compliance with legislative and regulatory requirements.

How the LAC (including our College) keeps your personal data secure

The LAC has put in place appropriate technical and organisational security measures to prevent your personal data from being accidentally lost, used or accessed in any unauthorised way or altered or disclosed. In addition, the LAC limits access to your personal data to the persons and organisations, including those described above, who have a lawful and/or legitimate need to access it.

The LAC has also put in place procedures to deal with any suspected personal data security breach and will notify you and any applicable regulator of a suspected breach where legally required to do so.

You and your data

You have a number of rights in relation to the processing of your personal data by the LAC:

- **Access:** You have the [right to request access](#) to and be provided with a copy of the personal data held about you together with certain information about the processing of such personal data to check that the LAC is processing it lawfully and fairly.
- **Correction:** You have the [right to request correction](#) of any inaccurate or incomplete personal data held about you.
- **Deletion:** You have the [right to request erasure](#) of any personal data held about you where there is no good reason for the LAC to continue processing it or where you have exercised your right to object to the processing of your personal data.
- **Restriction:** You have the [right to request restriction](#) of how the LAC processes your personal data; for example, to confirm its accuracy or the LAC's reasons for holding it or as an alternative to its erasure.
- **Objection:** You have the [right to object](#) to the LAC's processing of any personal data which is based on the legitimate interests of the LAC or those of a third party based on your particular circumstances. You also have the right to object to the LAC processing your personal data for direct marketing purposes.
- **Portability:** You have the right to receive or [request that the LAC transfers](#) a copy of your personal data in an electronic format where the basis of the LAC processing such personal data is your consent or the performance of a contract, and the information is processed by automated means.
- **Complaints:** You have the right to complain to the [Information Commissioner's Office \(ICO\)](#) in relation to how the LAC, on behalf of the College, processes your personal data. The College's registration number with the Information Commissioner's Office is Z7056965.

The LAC may be entitled to refuse any request in certain circumstances and where this is the case, you will be notified accordingly.

Where the lawful ground relied upon by the LAC to process any of your personal data is your consent, you have the right to withdraw such consent at any time without having to give any

reason. However, if you do so, the LAC may not be able to provide some or all of its services to you or the provision of those services may be affected.

You will not have to pay any fee to exercise any of the above rights, though the LAC may charge a reasonable fee or refuse to comply with your request if any request is clearly unfounded or excessive. Where this is the case, you will be notified accordingly.

To protect the confidentiality of your personal data the LAC may ask you to verify your identity before fulfilling any request in relation to your personal data.

Changes to this notice

The LAC may update this notice at any time and may provide you with further notices on specific occasions where we collect and process personal data about you. You should check this notice regularly to take notice of any changes. Where any change affects your rights and interests, we will make sure we bring this to your attention and clearly explain what this means for you.

Questions or comments

If you have any questions or comments regarding this notice or you wish to exercise any of your rights you should contact the College's Data Protection Officer by email at dataprotection@royalholloway.ac.uk.

You also have the right to complain to the Information Commissioner's Office and you can find more information on their website – www.ico.org.uk