



THE HONOURABLE SOCIETY OF THE
MIDDLE TEMPLE

DATA PROTECTION POLICY

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Introduction

1. The Honourable Society of the Middle Temple ("the Inn") needs to collect and use certain types of information about the Data Subjects who come into contact with it in order to carry out our work. This personal information must be collected and dealt with appropriately - whether on paper, in a computer, or recorded on other material - and there are safeguards to ensure that this happens under the Data Protection Act 1998 ('DPA98').
2. This policy sets out the basis upon which any personal data that we collect from you, or that you provide to us, will be processed by the Inn. Please read the following document carefully to understand the Inn's views and practices regarding your personal data and how we will treat it.
3. For the purposes of the DPA98, the Data Controller is The Honourable Society of the Middle Temple.
4. This policy sets out the data processing practices carried out by the Inn including, through the use of the internet, all websites operated by us and any other electronic communications. If you have any requests concerning your personal data or any queries with regard to the Inn's personal data processing practices then please contact our Data Protection Officer at: Data.Protection@middletemple.org.uk
5. The following is a list of definitions of the technical terms that we have used in this policy and is intended to aid in its understanding. If you have any questions regarding these definitions then please get in touch with the Inn's Data Protection Officer.
 - 5.1. **Data Controller** – The person/entity who (either alone or with others) decides what personal information the Inn will hold and how it will be held or used. As mentioned above, the Inn is the Data Controller under the DPA98.
 - 5.2. **Data Protection Act 1998 ('DPA98')** – The UK legislation that provides a framework for responsible behaviour by those using personal information.



- 5.3. **Data Protection Officer** – The person(s) responsible for ensuring that the Inn follows the Data Protection Policy and complies with the DPA98. This is Andrew Hopkin, the Director of Corporate Services.
- 5.4. **Data Subject/Service User** – The individual whose personal information is being held or processed by the Inn (for example: a member, a client, an employee, or a supporter).
- 5.5. **'Explicit' consent** – A freely given, specific, and informed agreement by a Data Subject or Service User (see definition) to the processing* of personal information* about him/her. Explicit consent is needed for processing sensitive* data.

** See the relevant definition in this Policy*

- 5.6. **Notification** – Notifying the Information Commissioner about the data processing activities of the Inn, as certain activities may be exempt from notification.
- 5.7. **Information Commissioner** – The UK Information Commissioner responsible for implementing and overseeing the DPA98.
- 5.8. **Processing** – Collecting, amending, handling, storing, or disclosing Personal Information or Sensitive Data.
- 5.9. **Personal Information** – Information about **living** individuals that enables them to be identified – e.g. their name and address. It does not apply to information about organisations, companies, and agencies but applies to named persons, such as individual volunteers or employees within the Inn.
- 5.10. **Sensitive data** – means data about a Data Subject's: racial or ethnic origin; political opinions; religious, or similar, beliefs; Trade Union membership; physical or mental health; sexual life; criminal record; criminal proceedings relating to a Data Subject's offences.



Information Processing

6. The Inn collects personal information in a number of different ways: paper-based forms; emails; online forms, etc.
7. The information that we collect will include: your name, date of birth, a postal address, email addresses, your contact telephone number(s), education/employment information, and criminal record information. We will also collect diversity monitoring information when you apply to join the Inn so that we can support the implementation of elements of our strategic plan to attract the 'best and the brightest' to the profession regardless of individual circumstances.
8. The Inn may also collect information about your device when you visit our website, including (where available) your IP address, operating system, and browser type which we will use for system administration. This information, although collected by the Inn's systems, will not be processed or analysed unless it is in connection with an attack on our website or social media services.
9. The Inn may also use and disclose other information in aggregate for research, marketing, and strategic development purposes. Further, the Inn is required to share some of your data with external bodies, such as equality and diversity information with the Bar Council and information in relation to admission and scholarships with the other Inns.
10. The Inn may also ask you to complete surveys (both electronic and paper-based) used for research purposes, which you are not obliged to complete but which will be completely confidential and analysed anonymously. Data from research will be destroyed once it has been analysed and published.
11. The Inn may have cause to contact you by letter, telephone, email, or otherwise in relation to the purposes specified in this policy. It is therefore of fundamental importance that you ensure that your contact details are kept up to date. This can be done online or by informing the Education & Training or Membership Departments at: Education@middletemple.org.uk, Members@middletemple.org.uk or Benchers@middletemple.org.uk, depending upon your membership status.



- 12. By submitting your personal information to the Inn you consent to us processing that information in accordance with this policy and the DPA98.**



Data collection

Informed consent

13. Informed consent is when: -

13.1. A Data Subject clearly understands why their personal information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data; and

13.2. Then gives their consent.

14. The Inn will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person or by completing a form, either paper-based or electronically.

15. When collecting data, the Inn will ensure that the Data Subject:

15.1. Clearly understands why the personal information is needed;

15.2. Understands what it will be used for and what the consequences are should the Data Subject decide not give consent to processing;

15.3. As far as reasonably possible, grants explicit consent, either written or verbal, for data to be processed;

15.4. Is, as far as is reasonably practicable, competent enough to give consent and has given so freely without any duress; and

15.5. Has received sufficient information on why their data is needed and how it will be used.



Use of personal information

- 16.** The Inn regards the lawful and correct treatment of personal information as very important to successful working and to maintaining the confidence of those with whom we deal.
- 17.** The Inn intends to ensure that personal information is treated lawfully and correctly.
- 18.** To this end, the Inn will adhere to the “Principles of Data Protection”, as detailed in the DPA98.
- 19.** Specifically, the Principles require that personal information:
 - 19.1.** Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met;
 - 19.2.** Shall be obtained only for one or more of the purposes specified in the DPA98 and shall not be processed in any manner incompatible with that purpose or those purposes;
 - 19.3.** Shall be adequate, relevant, and not excessive in relation to those purpose(s);
 - 19.4.** Shall be accurate and, where necessary, kept up to date;
 - 19.5.** Shall not be kept for longer than is necessary;
 - 19.6.** Shall be processed in accordance with the rights of Data Subjects under the DPA98;
 - 19.7.** Shall be kept secure by the Data Controller, who takes appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information;
 - 19.8.** Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of Data Subjects in relation to the processing of personal information.



20. The Inn will, through appropriate management and the strict application of criteria and controls:

20.1. Observe fully the conditions regarding the fair collection and use of personal information;

20.2. Meet its legal obligations to specify the purposes for which personal information is used;

20.3. Collect and process appropriate personal information and only to the extent that it is needed to fulfil its operational needs or to comply with any legal requirements;

20.4. Ensure as far as it is able the quality of personal information that is used – it is incumbent upon the individual to ensure that the personal data that the Inn holds on them is kept up-to-date and accurate;

20.5. Ensure that the rights of Data Subjects about whom personal information is held, can be fully exercised under the DPA98. These include:

20.5.1. The right to be informed that processing is being undertaken;

20.5.2. The right of access to a Data Subject's own personal information;

20.5.3. The right to prevent processing in certain circumstances; and

20.5.4. The right to correct, rectify, block, or erase information that is regarded as incorrect information.

20.6. Take appropriate technical and organisational security measures to safeguard personal information;

20.7. Ensure that personal information is not transferred abroad without suitable safeguards;

20.8. Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation, or ethnicity when dealing with requests for personal information; and



20.9. Set out clear procedures for responding to requests for personal information.

21. The Inn will use the personal information provided by you (or that is appropriately obtained from third-parties, which includes persons duly authorised by you to provide such information on your behalf) for the following purposes: -

21.1. To inform you about developments within or pertaining to the profession, particularly those relating to the Inn's regulatory functions;

21.2. To inform you about developments within the Inn, particularly membership activities and initiatives;

21.3. For the administration and management of membership records;

21.4. For the provision and administration of education and training services and events;

21.5. For the provision and administration of membership services events;

21.6. For the management and support of the Inn's Standing Committees (including access to papers and other information for Committee members);

21.7. For the processing of financial transactions and maintaining accounts;

21.8. For public relations and marketing purposes relating to the Inn;

21.9. For fundraising activities carried out by the Inn;

21.10. CCTV systems for the prevention of crime within Middle Temple;

21.11. For the investigation of complaints; and

21.12. In any other respect that we may reasonably require in order to carry out the work of an Inn of Court



Use of sensitive personal data

- 22.** The Inn is committed to ensuring that access to the Bar should be equally open to all, regardless of ethnicity, gender, disability, marital status, sexual orientation, religion/belief, or socio-economic background. In order to contribute toward the achievement of that aim, the Inn needs to monitor the data trends of those individuals entering the profession so that we can gain a better understanding of how people from a diverse range of backgrounds succeed in their chosen career. As such, the Inn will continue to hold diversity information against your membership record. There is no obligation on an individual to provide this information and your professional relationship with the Inn will not be hindered in any way if you do not. However, to help with our monitoring work, the Inn strongly encourages you to provide this information together with your application to join the Inn and to update it as circumstances change.
- 23.** By submitting sensitive personal data to the Inn, you explicitly consent to the collection and processing of that data for the purposes described below in accordance with this policy and your rights under the DPA98.
- 24.** The Inn will use the sensitive personal data provided by you for the purposes of diversity monitoring and other legal requirements. Such information will: -
- 24.1.** Be kept confidential within the Inn;
 - 24.2.** Be destroyed if you are not Called to the Bar within the statutory/regulatory time period stipulated from time to time by the Bar Standards Board or its successors, are disbarred, or you request that such personal information is destroyed/erased; and
 - 24.3.** The sensitive personal data will not be released in a form that will identify an individual. Anonymised analyses may be published by the Inn in any format and on any medium.
- 25.** If the Inn changes any of these purposes then you will be notified as soon as possible. If, after receipt of the details of the new or additional processing, you wish the Inn to



destroy/erase your sensitive personal data then this will be carried out and confirmed to you.

- 26.** If you require any information as to why the Inn gathers and processes diversity information from you, please contact the Education & Training Department at: Education@middletemple.org.uk or the Membership Services Department at: Members@middletemple.org.uk or Benchers@middletemple.org.uk, depending upon your membership status.



Use of 'Cookies'

- 27.** We use 'cookies' on our websites. A 'cookie' is a small piece of information that is sent by a web server to a web browser that enables the server to collect information from the browser. This small piece of information will be revealed to us when you visit the Inn's websites. You can find out more information about the use of 'cookies' at: <http://www.allaboutcookies.org>
- 28.** The Inn uses 'cookies' to identify you when you visit our websites and to monitor your use of those sites. Other than as stated in this policy, the Inn does not use 'cookies' to collect any other information about you.
- 29.** With a change in the law about 'cookies' in May 2011, all websites must now obtain your explicit agreement before they set a 'cookie' on your computer or other internet-enabled device. You should be aware that most web browsers allow you to turn off 'cookies' or to receive a warning before a 'cookie' is stored on your device. Please refer to your browser instructions or help screen to learn more about how to do this. Please note however that, if you disable any 'cookies' that the Inn's websites place on your device, you may not be able to use certain services or facilities on our websites.



Internet-based information transfers

- 30.** Given that the internet is a global medium, using the internet to collect and process personal information necessarily involves the transmission of data on an international basis. Therefore, by browsing the Inn's websites and communicating electronically with us, you acknowledge and consent to the Inn processing personal data in this way. The Inn will endeavour at all times to protect all personal information collected through our websites and social media channels in accordance with the DPA98 and this policy.

Social Media

- 31.** The Inn uses various social media channels in order to disseminate information to its members and 'followers'. Although the information contained within an individual's social media content is held by that individual's social media provider, the Inn has access to it and has the ability to record it in order to carry out analysis. Such information will be held in accordance with the DPA98.
- 32.** When engaging with the Inn's social media channels, an individual is using the services of a third-party provider. The individual will therefore be subject to the data protection policies of those organisations in addition to those of the Inn. Such third-party providers are outside of our control and are not covered by this policy.

Other websites

- 33.** The Inn's websites and social media channels may contain links to third-party sites that are outside our control and are not covered by this policy. If you access other websites and social media channels using the links that are provided, the operators of these websites/channels may collect information from you that will be used by them in accordance with their own data protection policies. These may be different from those of the Inn. Therefore, if you use any of these links to leave our websites and social media channels and visit those that are provided by third-parties, the Inn cannot be responsible for the protection and privacy of any information that you provide whilst



visiting those websites. Please check the appropriate policies before you submit your personal data to such websites and social media channels.



Disclosures and sharing information

- 34.** The Inn may share data with other agencies such as a local authority, HMRC, funding bodies, and other agencies connected with the Bar, such as the other Inns, the Bar Council, the Circuits, and Specialist Bar Associations so as to be able to keep records up-to-date and to administer your relationship with them.
- 35.** The Data Subject will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows the Inn to disclose data (including sensitive data) without the Data Subject's explicit consent.
- 36.** These circumstances are:
 - 36.1.** Carrying out a legal duty or as authorised by the Secretary of State;
 - 36.2.** Protecting the vital interests of a Data Subject or other person;
 - 36.3.** The Data Subject has already made the personal information public;
 - 36.4.** Conducting any legal proceedings, obtaining legal advice, or defending any legal rights;
 - 36.5.** Monitoring for diversity purposes – i.e. race, disability or religion;
 - 36.6.** Providing a confidential service where the Data Subject's explicit consent cannot be obtained or where it is reasonable to proceed without such consent: e.g. where the Inn would wish to avoid forcing stressed or ill Data Subjects to provide consent signatures.



Data storage and security

- 37.** The Inn will take all necessary steps to ensure that your data is treated securely and in accordance with this policy. All of the Inn's employees are personally responsible for maintaining personal information confidentiality and to ensure that such information is processed only for the specified purposes for which it is collected. The Inn provides continuing education and training to its staff about their obligations under this policy and the DPA98. Additionally, only certain staff members will have access to particular information in order to be able to carry out their work roles.
- 38.** Personal information will be stored for only as long as it is needed or required and will be disposed of appropriately.
- 39.** All information that you provide to the Inn is stored on secure servers, both at the Inn and at our approved third-party locations consistent with the Inn's IT management and business continuity plans. No information is held in offsite servers outside the European Economic Area.
- 40.** All payment transactions carried out electronically with the Inn will be encrypted using SSL technologies. Card details will not be retained following the completion of online transactions but account details will be held in order to manage and administer any continuing financial relationship with the Inn that the individual has consented to.
- 41.** Unfortunately, the transmission of information via the internet is not completely secure. Although the Inn will do its best to protect your information, we cannot guarantee the security of your data transmitted to our website or by email. As such, any transmission is at your own risk. Once your personal information has been received, we will use our procedures and security measures to ensure, as far as is possible, that there is no unauthorised access to that information.
- 42.** It is the responsibility of the Inn to ensure that all personal and company data is non-recoverable from any computer system previously used within the organisation, which has been passed on/sold to a third party or otherwise disposed of.



Data access and accuracy

- 43.** All Data Subjects have the right to access the personal information that the Inn holds about them. The Inn will also take reasonable steps to ensure that this personal information is kept up-to-date by asking Data Subjects, on a periodic basis, whether or not there have been any changes to their data.
- 44.** In addition, the Inn will ensure that:
- 44.1.** It has a "Data Protection Officer" with specific responsibility for ensuring compliance with Data Protection matters;
 - 44.2.** Everyone processing personal information understands that they are contractually responsible for following good data protection practice;
 - 44.3.** Everyone processing personal information is appropriately trained to do so;
 - 44.4.** Everyone processing personal information is appropriately supervised;
 - 44.5.** Anybody wanting to make enquiries about handling personal information knows what to do;
 - 44.6.** It deals promptly and courteously with any enquiries about handling personal information;
 - 44.7.** It describes clearly how it handles personal information;
 - 44.8.** It will regularly review and audit the ways it holds, manages, and uses personal information;
 - 44.9.** It regularly assesses and evaluates its methods and performance in relation to handling personal information; and
 - 44.10.** All staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them.



Data deletion and destruction

- 45.** In accordance with the Fifth Data Protection Principle, the Inn will retain your personal data for no longer than is required for its processing. The Inn has devised a number of 'Retention Schedules' that give guidance to the Inn's staff on the length of time that certain data must be retained before it is deleted and destroyed. Different data processing activities require different retention schedules.
- 46.** As your membership of the Inn is for life, unless you apply to resign your membership or are disbarred from professional practice, the Inn will retain your personal data until you cease to be a member.
- 47.** In the case of members that do not pursue a career at the Bar, whether self-employed or employed, then the Inn will retain your personal data unless you request its deletion. The Inn will delete all information except that which is already in the public domain, i.e. details of your admission to membership and, if relevant, your Call to the Bar.
- 48.** The Inn may also retain some personal data permanently for historical purposes, such as your name and date of Call to the Bar.



Your rights

Marketing communications

- 49.** You have a right to ask the Inn not to process your personal data for marketing purposes. We will usually inform you, before collecting your data, if the Inn intends to use your data for such purposes or if we intend to disclose your information to third-parties for such purposes. You can exercise your right to prevent such processing by using the 'unsubscribe' link at the bottom of marketing communications that you receive from the Inn. Alternatively, you can opt-out of all such marketing communications by informing the Education & Training Department at: Education@middletemple.org.uk or the Membership Services Department at: Members@middletemple.org.uk or Benchers@middletemple.org.uk depending upon your membership status.
- 50.** Should you decide to opt-out of receiving marketing communications from the Inn, you will be foregoing the opportunity to find out about future member-related events or opportunities.

Access to your information

- 51.** The DPA98 affords you the right of access to the personal information that the Inn holds about you. If you wish to exercise this right, which may attract an administration charge as provided for in the DPA98, you should submit a 'Subject Access Request' to the Inn's Data Protection Officer, either by email or by post using the contact details shown below.
- 52.** If it then transpires that some or all of the data that we hold about you is inaccurate or incorrect, you should then inform the Inn immediately so that the information can be amended.




Data protection management

- 53.** This policy will be reviewed periodically and no less than annually and updated as necessary to reflect best practice in data management, security and control, and to ensure compliance with any changes or amendments made to the DPA98 or any associated legislation or regulations.
- 54.** In case of any queries or questions in relation to this policy please contact the Inn's Data Protection Officer:

Andrew Hopkin
Director of Corporate Services
The Honourable Society of the Middle Temple,
Middle Temple Treasury,
Ashley Building,
Middle Temple Lane,
London.
EC4Y 9BT

Tel: 020 74274800

Email: Data.Protection@middletemple.org.uk

Signed	
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