

Supplemental Privacy Notice Regarding Background Checks

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The Honourable Society of the Middle Temple, known as 'The Inn' in this supplemental privacy notice, respects your privacy and is committed to protecting your personal information. This privacy notice supplements The Inn's other privacy notices, including the Member Privacy Notice, which can be found at <https://www.middletemple.org.uk/about-us/data-protection/privacy-policies-and-notices>, and will inform you as to how we look after your personal information and tells you about your privacy rights and how the law protects you, when The Inn conducts a background check on you as part of your application to be called to the Bar.

The document is provided in a layered format so that you can click through to the specific areas set out below.

1. What personal information do we hold about you?

Listed below are the categories of personal information about you that we collect, store, and use either during the process of conducting a background check on you or as part of your application to be called to the Bar:

- Personal contact details such as title, name, addresses, telephone numbers, and personal email addresses;
- Educational qualifications;
- Date of birth;
- MyBar Reg Number (if applicable);
- Details of membership of Inns (including any refusal of membership or expulsions);
- Details of academic, misconduct, professional or regulatory investigations and proceedings;
- Details of bankruptcy or similar arrangements;
- Identity documents;
- Photograph and video images of you as part of the background check process.

Listed below are the 'special categories' of more sensitive personal information about you that we collect, store, and use during the process of conducting a background check on you as part of your application to be called to the Bar:

- Information about criminal convictions and offences;
- Fingerprints where occasionally required for authentication purposes as part of the background check process;
- Information about health conditions which might pose a risk to any member of the public or impair judgement as a practising barrister;
- If you share it voluntarily, information about your race or ethnicity, nationality, gender and disability.

2. How is your personal information collected?

We collect personal information about you either directly from you such as through your application form or from a third-party background check provider. We may sometimes collect additional information from third parties including former employers, educational institutions, relevant authorities, identity verification agencies or other background check providers.

3. For what purposes do we use your personal information?

We have set out below, in a table format, a description of the ways we plan to use your personal information, and the legal basis that we rely on to do so. We have also identified what our legitimate interests are where appropriate. Some of the grounds for processing will overlap and

there may be several grounds which justify our use of your personal information.

Purpose/Activity	Lawful basis for using the personal information including the basis of the legitimate interest	Who will receive the personal information and where if outside the United Kingdom?
Collecting and reviewing information regarding criminal convictions or offences that is voluntarily disclosed or obtained through official criminal record checks	Compliance with a legal obligation when the fit and proper test as required by the Bar Standards Board applies and otherwise legitimate interests (to assess suitability of applicants)	Third-party background check providers and relevant authorities, worldwide where applicable
Reviewing academic and professional history obtained through background checks	Compliance with a legal obligation	Third-party background check provider, worldwide where applicable
Confirming your identity and UK residency or overseas equivalent	Compliance with a legal obligation	Third-party background check providers and identity verification providers
Collecting the Call Admission Declaration and assessing for compliance with the Core Duties set by the Bar Standards Board and the fit and proper test	Compliance with a legal obligation (regulations set by the Bar Standards Board)	The Inn
To prevent fraud, insider trading or crimes	Legitimate interests (to indicate possible criminal acts or threats to public security)	Police, regulators (including the Bar Standards Board), legal authorities
Complying with legal or regulatory obligations or requests	Compliance with a legal obligation	Regulators (including the Bar Standards Board and the Bar Council) and governmental agencies
Equal opportunities monitoring	Public interest	The Inn and legal authorities

4. Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations to assess your suitability for the purposes of the fit and proper test as part of becoming a practising barrister and provided we do so in line with our Data Protection Policy.

Where appropriate, we will collect information about criminal convictions as part of the Call application process. We will use information about criminal convictions and offences to assess your suitability for pursuing or entering the profession of barrister, as part of the fit and proper test for applicants required by the Bar Standards Board.

We have in place an appropriate Data Protection Policy and additional safeguards, which we are

required by law to maintain when processing such information. Please see our Privacy Policies and Notices page for more information <https://www.middletemple.org.uk/about-us/data-protection/privacy-policies-and-notices>

5. Data retention

How long will you use my information for?

We will securely destroy information obtained from any background check exercise within one year although we will retain a record of the result of the verification.

In cases where the Inn requests to see a DBS certificate from individuals and where this is shared with the Inn's Conduct Committee (ICC) to determine eligibility for Call, this information will be retained as part of the membership record and will be kept until the end of your relationship with the Inn. This information may include documentation supplied by the ICC relating to a decision about whether you can be called or not.

Should you be unsuccessful in your application for Call, we will securely destroy your application details within one year from the date of application but will keep on file a record that an application was submitted. Any information concerning disclosures will be kept as above as they are relevant for consideration of future applications or re-admission to the Inn.

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.